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THE
CONSTITUTION,
CANONS AND RULES
OF
THE CHURCH OF INDIA, BURMA, AND CEYLON.

1st March, 1930.

Revised by the Metropolitan's Chaplain in May 1941.

Obtainable from the Metropolitan's Chaplain, Calcutta,
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A PREFATORY STATEMENT

ADOPTED BY

The Bishops of the Church of India, Burma, and Ceylon assembled in Synod on the eleventh day of February, 1928.

We, the Bishops of the Church of India, Burma and Ceylon, on the first occasion of our meeting in Synod after the enactment of the Indian Church Measure and the Indian Church Act for the dissolution of its legal connexion with the Church of England, deeming it to be a matter of no small importance at such a turning point in the history of this Church, that the faithful should be assisted to distinguish the enduring from the transitory elements in their heritage, and to know what they should hold fast themselves and commend to others, as having value and significance not for one nation only, but for all the peoples of the world, and praying that God may bless our endeavours in so weighty a matter, make and at the request of the General Council will prefix to the Constitution the following Prefatory Statement concerning the inheritance and the ideals of this Church.

Relation to the Catholic Church.

1. The Church of India, Burma and Ceylon is a part of the one holy catholic and apostolic Church, the body of Christ, which He is building up out of all generations and races of men. We are what we are as a Church and as members of the Church by reason of what we have received from Him through and in the holy catholic Church.

Founded on God's revelation of Himself.

2. We have received from God a revelation about Himself. That revelation was made as a gradual self-disclosure. It was begun in many parts and manners, when God revealed Himself to a chosen people, as the Old Testament records, by prophets and lawgivers. It was completed and imparted to all the world, when, as the New Testament records, He revealed Himself in His eternal Son, Who took our nature upon Him. "God so loved the world that He gave His only begotten Son, that whosoever

believeth on Him should not perish but have everlasting life." Jesus Christ was so born, so lived, so died, so rose again from the dead that He draws all men unto Him, and, having ascended into Heaven, He ever liveth to make intercession for them. By Him we are ever being drawn to clearer knowledge and deeper love of the unseen God, Who first loved us.

The revelation of the inner nature of God.

3. We have received the revelation that God is one, and from the words of the Son of God we have learned to know, within the unity of the Godhead, the Father, the Son and the Spirit, Whom, following the tradition of the Western Church, we call the three Persons of the Trinity. Thus we acknowledge the glory of the eternal Trinity and in the power of the Divine Majesty we worship the unity.

The benefits of the Incarnation towards men.

4. We have received the benefits of the coming of the Son of God upon earth and of the atonement which He wrought, in that through Him we have received the adoption of sons, the remission of our sins, and incorporation into His Body, the Church, wherein we are being saved by grace unto life eternal. With all our forefathers in the faith, we glory in nothing save in the cross of our Lord Jesus Christ, and we praise Him for our redemption in His blood, and the risen life which He has given us to share.

The Church and the Communion of Saints.

5. We have received and accept with gladness a place and a portion in the Church, which we acknowledge to have been made, not by any human plan or agreement, but by the will of Jesus Christ, Who founded it upon His Apostles and Prophets, giving command to go forth into all the world and to make disciples of all nations. By which will and command of Christ our Lord, there has been gathered together through baptism into one body an innumerable company of men and women, with whom, whether they be departed this life or are yet in the flesh, we are in communion through Him Who is the Head.

The most illustrious of this holy fellowship we remember year by year on special days of commemoration, the Blessed Virgin Mother of our Lord, His forerunner John the Baptist, His Apostles and Evangelists, and other Martyrs and Saints of His Church, in whom we recognise the wonderful glories of His grace, thanking God that He has given such power unto men. Similarly we thank Him year by year for the ministries of His holy angels, and daily join our lowly worship with that which they and the whole company of heaven offer before God's throne.

The Spirit of Truth.

6. We have received the benefits of the indwelling of the Holy Spirit in the Church guiding it from age to age into all the truth. We have received His witness in the canonical Scriptures of the Old and New Testaments, and recognise those Scriptures as living oracles of God, and as of supreme authority in all matters concerning the salvation of man. We have received the books commonly called Apocrypha as of less authority than the canonical books, but yet showing the motions of the Spirit of God among men who had a share in preparing the way for the revelation of His Son. We have inherited and gratefully use the sound doctrines which the undivided Church upheld and explained in accordance with the same holy Scriptures, and particularly that statement of the common faith of the Church, usually called the Nicene Creed, which we most firmly believe and in our common worship thankfully recite. We have inherited also from later ages much that godly men, with the same Spirit in their hearts and the same Scriptures before their eyes, learned and delivered, as the needs of each generation and country required. We believe that the same Spirit is with us now, guiding us according to our needs. We believe that He will yet reveal to the Church more of the treasures that lie hid in Christ. We have inherited the riches of the nations which have before us been gathered into the Church, the riches of wisdom and knowledge which they had from the Light that lighteth every man, and look to discern other rays of that same Light in the high thoughts and aspirations of the nations which are yet to be gathered in.

The Church the household of grace.

7. We have received and ever use with gladness all the gifts of grace bestowed upon us in the Church. Thus we receive the Sacraments of Baptism and the Supper of the Lord, as our Saviour commanded and as His Apostles expounded them. In these two Sacraments God grants to us fellowship with Himself, and enables us through that fellowship with Him to have fellowship one with another. We receive the laying on of hands, both upon all those who have been baptised, that by the inward working of the Holy Spirit they may be strengthened to live the Christian life, and also upon the special ministers of the New Covenant, that each may minister in his office by the power of the same Spirit.

We receive the message of forgiveness which our Lord Jesus left authority to His Church to give to all sinners who truly repent and believe in Him. We receive the godly practice of prayer for the healing of soul and body, accompanied, according to apostolic custom, by the laying of hands upon the sick or anointing with oil, at the same time accepting and using the skill and knowledge which in later days God has given to medical science, with all gratitude to the Giver. We receive the due order of the Church, as of a body having many members and those members each his own office. And in particular we receive the three Orders of the Ministry, Bishops, Priests and Deacons, in their several offices, as they have come down to us from the primitive Church and have continued to this day. We have received the sanctification of all human life by the incarnation of the Son of God, and with it an increasing sense of the sacredness of all honourable states of life and callings among men, and particularly that regard for the sacredness of marriage, which our Lord taught to His Church and His Church has ever fostered by its teaching and laws. We receive all these things as from the Lord the Spirit, and it is our will reverently to use and faithfully to maintain them under that guidance which we continually pray Him to give.

The ideals and work of the Church.

8. Further, we have received and accept the ideals of life and work which our Lord gave to His Church. We remember His new commandment that we should love one another even as He loved us, and we recognise such love as at once the perfect bond by which He wished His new society to be bound together, and the supreme means by which it may win the world to believe on Him. And we remember His command to go into all the world and make disciples of all nations, and humbly we accept this as our mission, and in His power go forth to do His bidding. And herein we desire that we and all those in this or other countries who are called into the one body may be united in the unity of the spirit, in the bond of peace, in the work of faith, in the labour of love, in the patience of hope, and in one Church visible here on earth as well as in the communion of all the Saints.

The Mission of this Church.

9. Having therefore received the inestimable benefits in this statement shortly recounted, and acknowledging that we have nothing that we have not received, but that all is of God, we set our faces to the work to which we believe that He has called us, which is, to represent in these countries the one holy catholic and apostolic Church in such a manner,

that the children of these countries may find in it a true spiritual home and bring their riches and honour into it. And we pray that the turning of these countries to the light of the knowledge of the glory of God in the face of Jesus Christ may help to bring a renewal of life to the countries which have long been called by His name, and to those, where His name is as yet unheard, life from the dead.

And so, mindful of His judgement-seat before which we must stand and give our account, we commit ourselves and the Church of this Province, its future and its mission, to Him Who is able to do exceeding abundantly above all that we ask or think, according to the power that worketh in us, to Whom be glory in the Church and in Christ Jesus unto all generations for ever and ever.

FOSS CALCUTTA.
EDWIN JAMES BOMBAY.
HARRY MADRAS.
V. S. DORNAKAL.
HENRY BICKERSTETH LAHORE.
ALEX NAGPUR.
NORMAN TINNEVELLY.
GEORGE ASSAM.
MARK COLOMBO.
E. A. L. TRAVANCORE AND COCHIN.
KENNETH CHOTA NAGPUR.

THE CONSTITUTION, CANONS AND RULES

OF THE

CHURCH OF INDIA, BURMA, AND CEYLON.

PREAMBLE.

WHEREAS in India, Burma and Ceylon there exists at the date of this Preamble an ecclesiastical Province under the Bishop of Calcutta as Metropolitan and this Province now consists of fourteen Dioceses enumerated below,

And WHEREAS in view of the coming severance of the legal connexion between this ecclesiastical Province and the Church of England and the consequent entrance of the Church of this ecclesiastical Province upon the legal status and condition of a voluntary society it is desirable for the Church of this Province to set forth its Constitution declaring its principles, and to enact Canons and Rules embodying those principles and regulating its practice,

And WHEREAS the Church of this Province being, as it is, a part of the one holy catholic and apostolic Church, which God founded and not man, has always been bound by certain fundamental principles of that Church, and can never admit that such fundamental principles are binding upon it merely because they have been recognised or enacted in this Constitution or these Canons and Rules,

And WHEREAS in this Constitution, Canons and Rules following there are contained powers in virtue of which every part thereof may be changed, and those powers have been taken in order to avoid the inconveniences which in other Churches have followed from the absence of such powers, yet it is hereby declared that the existence of these powers in the Constitution, Canons and Rules does not imply any intention or desire on the part of this Church to renounce its obligations to the rest of the Holy Catholic Church and its fundamental principles, but on the contrary, if it should abandon those fundamental principles, this Church is well aware that it would break spiritual continuity with its past and destroy its spiritual identity,

And WHEREAS it is necessary that the Church of this province should set forth in its Constitution, Canons and Rules its system and methods of organisation,

And WHEREAS the fundamental unit of Church organisation is the Diocese, consisting of Bishop, clergy and people, but, since neither individual Christians nor groups of Christians can live to themselves alone, neighbouring dioceses from very early times associated themselves together in Provinces and groups of Provinces; and such associations corresponded ordinarily in extent to those wider regions which in the course of history had attained a certain unity, to which associations the name "regional Churches" is given in the following Constitution,

And WHEREAS the fourteen Dioceses enumerated below through their Bishops and other representatives declare that they recognise themselves severally as federated with one another in such an association or regional Church, and it is the aim of the following Constitution, Canons and Rules on the one hand to set forth those matters which belong to the jurisdiction of the Dioceses acting in common through the provincial organisation and on the other hand to leave to the several Dioceses the greatest possible liberty of action compatible with the maintenance of the unity of this Church of India, Burma and Ceylon,

And WHEREAS it is expedient that this Constitution and these Canons and Rules should be adopted before the date of severance as defined by the Indian Church Measure 1927, in order that the same may come into force and effect upon that date,

And WHEREAS to avoid all doubt of the competence in law of the General Council of the Church of India, Burma and Ceylon to adopt such Constitution and such Canons and Rules at the time and with the object aforesaid it is enacted in Section 3 (i) of the said Measure as follows:—

> "From and after the coming into operation of this Measure nothing in any Act of Parliament, law or custom shall prevent the General Council from making, amending or repealing rules for the general management and good government of the Indian Church and the property and affairs

> thereof, whether in respect of the whole of the said Church, or according to provinces or dioceses or other areas, and rules so made may provide for the future making, amending or repealing of rules for the like purposes and prescribe the persons or bodies by whom or by which such rules may be made, amended or repealed:
>
> Provided that no rules so made shall come into operation before the date of severance,"

NOW THEREFORE we, the Bishops of the Dioceses of Calcutta; Madras; Bombay; Colombo; Lahore; Rangoon; Travancore and Cochin; Chota Nagpur; Lucknow; Tinnevelly, Ramnad and Madura; Nagpur; Dornakal; Assam; and Nasik, and representatives of the clergy and laity of those Dioceses, which together make up the Church of India, Burma and Ceylon, hitherto known as the Church of England in India and the Church of England in Ceylon, assembled in a General Council at Calcutta on the thirty-first day of January, 1930, in virtue of every authority whether inherent or representative to us respectively appertaining, and in exercise of the above recited power conferred upon the General Council of the Church of India, Burma and Ceylon by the Measure aforesaid do now adopt and enact the following Constitution, Canons and Rules and each and every Declaration, Canon and Rule thereof.

Adopted by a unanimous vote of the General Council, all the members of which also affixed their signatures to the Preamble.

THE CONSTITUTION.

THE CONSTITUTION

OF THE

CHURCH OF INDIA, BURMA, AND CEYLON,

FORMERLY KNOWN AS

THE CHURCH OF ENGLAND IN INDIA AND THE CHURCH OF ENGLAND IN CEYLON,

SET FORTH IN CERTAIN DECLARATIONS.

PART I.

GENERAL DECLARATIONS ON THE CONSTITUTION OF THE CHURCH.

Declaration 1. Of the Church's inheritance of truth and life.

The Church of India, Burma and Ceylon is a part of the one Holy Catholic and Apostolic Church.

It holds the faith which the Church has ever held in Jesus Christ, the Redeemer of mankind, and in accordance with the revelation of God which He, being Himself God incarnate, made, it worships one God in Trinity and Trinity in Unity.

It accepts the ancient creeds of the Church, commonly called the Nicene and the Apostles' Creeds, as authoritative summaries of that faith.

It accepts the canonical Scriptures of the Old and New Testaments which the whole Church accepts, and receives them as living oracles of God, and tests all statements of doctrine by them, and teaches nothing as required of necessity to eternal salvation but that which may be proved by them.

It lives, as the Church has ever lived, by the power of God's grace. It maintains the accustomed worship and holy rites of the Church, and pre-eminent among them, the two Sacraments ordained by Christ Himself, Baptism and the Lord's Supper. It continues and reverently uses and esteems the ministry of Bishops, Priests and Deacons handed down from the primitive Church. It teaches men to observe the commands of Jesus Christ, and places them in that vital union with Him whereby they are enabled to do the will of God from the heart.

It has received and accepts the command to make disciples of all the nations, baptising them into the Name of the Father and of the Son and of the Holy Spirit, and it prays that it may ever more and more clearly exhibit in these lands the true character of the Holy Catholic Church of Christ its Lord by the power of the indwelling Spirit until He shall come again to judge the world in righteousness and to receive His own unto Himself in glory.

Declaration 2. Of the Church and its members.

The Church is the body of Christ and its members are the members of His body. Those are members according to the will and purpose of God who have been baptised with water into the name of the Father and of the Son and of the Holy Ghost, and receiving the calling and grace of God with faith, continue steadfast therein, maintaining their vital union with the Head of the body, Jesus Christ, by the various means of grace which He has provided in His Church. There are some members who fall far short of this standard of true membership, yet the Church waits in hope, trusting that the goodness and long-suffering of God is leading them to repentance. But if any apostatise to some other religion, or fall into grievous and open sin and are excommunicated by the Church, they lose all the privileges of their membership.

Declaration 3. Of the Church and its Commission.

The body of Christ has the duty of continuing His work on earth, in the power of His promised presence. It performs this duty through its many members which have not all the same office. Thus the commission given to the Church as a whole is carried out in accordance with the commissions and gifts given to different members.

Admitted to the body of Christ in baptism all the members have their share in the commission and authority of the whole Church. Confirmed by the Holy Spirit they all have the rights and duties of a priesthood of believers, offering to God in and with His Son the sacrifice of themselves and all their powers. To the whole Church and to every member of it belong the duty and the privilege of spreading the good news of the Kingdom of God and the message of salvation through Jesus Christ. To some of the members God gives special gifts and also special commissions. The special commissions to certain ministerial functions are given to the ministers by God through His Church at their ordination, and thus these commissions constitute the Orders of the Ministry. The personal gifts, such as gifts of prophecy, evangelism, teaching or healing, are given sometimes to ordained and sometimes to unordained persons. The commissions to the Orders of the Ministry and the personal gifts are alike given for the edification of the whole body. The ordained ministers of the Church have their special functions in and for the Church, and can no more exist apart from the people of God, the general body of the faithful, than the people can exist apart from them.

Declaration 4. Of the special functions of Bishops.

(1) The special functions of a Diocesan Bishop in the Holy Catholic Church which he has to perform within the diocese committed to his charge are:

(*a*) to be a Father in God to all the Christian people and more particularly to the clergy, and to visit, teach, encourage and admonish them as a chief shepherd among the shepherds of Christ's flock, to lay his hands on those who are to be ordained to the ministry of the Church and on the baptised who are to be confirmed, to license clergy that they may minister and preach, to guide and direct the instruction of Christians and the evangelisation of those who are not Christians, to supervise the administration of the Sacraments and the performance of public worship, to consecrate churches, to excommunicate open and impenitent sinners, and to receive back excommunicate persons when penitent, and to secure the observance of the Canons and Rules of the Church as well by exercise of his jurisdiction as by the occasional use of his power of dispensation, that is to say, of suspending or modifying in special cases, if there seem to him good cause, the strict letter of the ecclesiastical law; and

(*b*) to summon and preside over assemblies of the clergy and other faithful people in his diocese for consultation and common action concerning the things of God and of His Kingdom, such as are the Diocesan Synods and Diocesan Councils mentioned in these Declarations.

(2) The special functions of Bishops which are by custom performed wholly or to greater or less degrees by the Bishops of a Province acting together are:

(*a*) to deal with questions concerning the Faith and Order of the Church as they arise, and to issue pronouncements or instructions thereon,

(*b*) to judge such matters as a court of appeal from diocesan courts, (*c*) to supervise or regulate the public worship of the Church with a view to the advantage or the needs of the Province as a whole,

(*d*) to confirm the election or appointment of persons to be Bishops of the Province, and through at least three of their number to consecrate them as such,

(*e*) to enquire when need arises into all such cases as might lead to the suspension or deposition of a Bishop or to his being relieved of his duties, and, if they think necessary, to take action in that behalf.

The action of the Provincial Bishops in regard to all these matters except (*d*) is subject to revision by properly constituted bodies of Bishops of more than one Province if such bodies exist; and pronouncements on Faith and Order by the Bishops of any part of the Church are subject to correction by the whole Church, when its opinion can be obtained.

Declaration 5. Of the special functions of Priests.

It is the special duty of Priests in the Holy Catholic Church to minister, under the supervision of the Bishop, the doctrine and sacraments and the discipline of Christ, according to the injunction which they receive in their ordination to be faithful dispensers of the Word of God and of His Holy Sacraments; and to no person except a Bishop or a Priest is it committed or allowed either to celebrate the Holy Eucharist, or to bless the congregation in the Holy Name, or to pronounce the absolution of God over penitent sinners.

As all Priests by virtue of their ordination have a special responsibility in matters of Faith and Order, it is right that they should meet together for consultation upon the better discharge of that responsibility both with their own Bishop in the Diocesan Synod, and, where provision is not made, in larger assemblies of the Church.

Declaration 6. Of the special functions of Deacons.

The special functions of Deacons which this Church recognises are those which have been recognised in the Holy Catholic Church, as well as those which were in most ancient times performed by that Order for the help and care of those who are weak whether by reason of poverty or of sickness or of ignorance, as that which was later attached to it, namely the function of giving assistance to the Priest in Divine Service, and further, if the Bishop grant his licence thereto, the function of preaching.

Declaration 7. Of the position of the laity.

To the lay people it belongs, as is explained in Declaration 3, to take part in the performance of the commission which our Lord gave to His whole Church. The lay people do not exercise the special functions of the ordained ministry, but in some matters they exercise functions complementary to those, and in other matters they have duties which the ordained ministers have also. Some of the laity again have special gifts by which the Church is enriched, and for their exercise scope should be given.

In the worship of the Church the lay people have their accustomed part without which the worship would be incomplete. They should have their part in the election of Bishops and the recommendation of persons for ordination. They should also have their part in the counsels of the Church, and in modern Councils it has been found possible to give them as electors or elected a far greater share than in ancient times. In all these things the co-operation of the lay people is necessary if the Church is to act as a whole.

Upon the lay people as upon the clergy lies the duty of striving to bring life in the world into conformity with the mind of Christ and to prepare the way for the practical recognition of Christ as King in every department of human life. It is the peculiar function of the laity to illustrate day by day the application of Christian principles to the professions, trades and occupations to which they are called by God. Both clergy and laity have their shares in the proclamation of the Gospel in the world, but the clergy do this as the commissioned teachers of the church, the lay people as men and women whose hearts are so filled with the good news of the mercy, grace and truth of God that they cannot but impart it to others.

Declaration 8. Of the territorial organisation of the Church.

The Holy Catholic Church recognised from the first the principle of territorial organisation. It strove thereby to represent the unity of the Church in every place, and to give a practical example of obedience to the divine command "Thou shalt love thy neighbour as thyself".

The fundamental unit of the territorial organisation of the Church is the *Diocese*, which is under the charge of a single Bishop. This organisation by Dioceses rests upon the principles that every Diocesan Bishop should be the Bishop of a defined territory and should have jurisdiction throughout that territory and no jurisdiction outside that territory, and that there should be no place in the Province which is not under the jurisdiction of some Bishop of the Province. It is the duty of every Diocese acting as a whole to spread the knowledge of the saving Gospel throughout its territory and to provide for the spiritual needs of the faithful who reside within it.

Each Diocese embraces a number of smaller territorial units, called *Parishes*, each of which is normally under the charge of one clergyman known as the Parish Priest. No clergyman may officiate in a Parish without either the permission or consent of the Parish Priest or an instruction from the Bishop. A Parish has the same duties towards those who live within its boundaries as a Diocese has towards all its inhabitants. Parochial organisation is in general to be regulated by each Diocese.

Contiguous Dioceses have often been grouped into a Province under one Metropolitan Bishop, especially when they were situated in a region which for other purposes had a central organisation. Sometimes such a region was so large that it required more than one Province, yet, because of the natural, political or historical unity of the region, a single ecclesiastical organisation grew up, binding together the Provinces and their Dioceses. The Church, when so organised in a great region having such a natural, political or historical unity of its own, is in these Declarations called "a regional Church". Such a Church has a life of its own with a character, conditions and needs peculiar to itself, and it also has in its measure the liberty which belongs to the Church of Christ to order its own life in continual dependence on the Spirit of God. But that Spirit is the one Spirit, Who dwells in the whole Church, and a regional Church can have no true life except as a part of the whole Catholic Church whose inheritance of truth and grace it shares.

The Church of this Province offers to India, Burma and Ceylon this conception of a regional Church as the ideal of the position which the whole Church in this great region ought to occupy within the Holy Catholic Church. The liberty of a regional Church has enabled, and may in any place enable, the God-given genius of great nations to find its appropriate expression in the worship and work of the Church, and so the riches of the nations have been carried into the City of God. Yet they have been brought in as things offered to God to be hallowed by His acceptance and recreated by His Spirit in the Church.

Declaration 9. Of the unity of the Church.

It is the will of God that His Church should be one. That unity ought to be expressed, as it was in ancient days, by the unity of all the Christians of one place in one holy society. The regional Church of India, Burma and Ceylon ought thus to include all the Christians of those countries. The prayer and effort of the Church of this Province will ever be directed towards this ideal, and it will seek to enter into union with any bodies of Christians in those countries which are not now in communion with it, provided always that by such union the inheritance of truth and grace which it has received with its Catholic Faith and Order be not impaired but rather established and strengthened.

And the Church of India, Burma and Ceylon further declares that it has the right to enter into any union with any other Church or Churches without loss of its identity on terms which this Church by resolution of the General Council has declared to be consistent with its principles.

Declaration 10. Of Synods and Councils in the Church.

Synods and Councils have always been held in the Church in order that the experience of different places and the wisdom of different persons being brought together, the Spirit of truth may teach His servants thus assembled what they have not learned apart from one another. A regional Church is competent to make rules for its own Synods and Councils, provided that it does not claim or purport to confer upon them power to enact anything contrary to undoubted principles or decisions of the Holy Catholic Church, nor to take away from the Bishops, Priests or Deacons the right or the opportunity of exercising those functions which beyond reasonable doubt belong distinctively to each of those Orders in the Holy Catholic Church. Thus the Church of India, Burma and Ceylon enacts Canons and Rules about the work of the Episcopal Synod, the General Council, the Diocesan Councils, and the Diocesan Synods.

Declaration 11. Of the authority of the principles and customs set out in the preceding Declarations.

The Church of India, Burma and Ceylon declares that it has received the principles and customs set out in the preceding Declarations from the Holy Catholic Church of the ages which are past. It believes that it was by the guidance of the Holy Spirit that those principles came to be recognised and those customs adopted, and it accepts them as indicating the general framework around which a regional Church may proceed to develop its institutions.

Declaration 12. Of the purpose of ecclesiastical organisation.

Whereas the Church is the body of Christ and attains its full life so far as it is always and in all its parts open to the influence of His free and life-giving Spirit, the Church of India, Burma and Ceylon enjoins upon all members of its Councils that they never permit ecclesiastical organisation to restrict or to make rigid the life and work of the Church, but continually bear in mind the true purpose of that organisation, which is, that the Church's life should be more abundant and its work more effectual in proportion as the wisdom given to its separate members is rendered available for the common good.

PART II.

PARTICULAR DECLARATIONS ON THE CONSTITUTION AND LAW OF THE CHURCH OF INDIA, BURMA AND CEYLON.

Declaration 13. Of the powers of the Church of this Province.

Within the limitations proper to a regional Church, the Church of India, Burma and Ceylon claims, and through the appropriate persons or assemblies will exercise, the rights of making declarations, interpretations and determinations on questions of Faith or Order, so far as the needs of its members may require, and of regulating the worship of its members to meet their divers capacities and requirements, and of administering discipline, and of making Canons, Rules and Regulations binding upon its members or certain of them.

Declaration 14. Of the Episcopal Synod.

The Episcopal Synod consists of all the Diocesan Bishops of the Church of India, Burma and Ceylon, and may include other Bishops of this Church, if the Synod with the consent of the General Council so determine. Each of the Diocesan Bishops sits in the Episcopal Synod as representing his own Diocese, and all the Bishops as representing the episcopate of the whole Church. They act under the commission of God given to the episcopate. The special functions of the Episcopal Synod are those set out in Declaration 4 (2) above.

These special functions constitute the principal duties of the Episcopal Synod, and it will also undertake any others which may be assigned to it by this Church acting through the General Council.

Declaration 15. Of the General Council.

The General Council shall consist of all the Diocesan and other Bishops holding jurisdiction or regularly performing episcopal functions in the Church of India, Burma and

Ceylon, together with clerical and lay representatives sent by the Diocesan Councils. The Bishops, clergy and laity sit in the General Council as representing the dioceses from which they come. They all act under the commission of God given to His Church as a whole, while the Clergy act also under His commission given to them at their ordination, and besides this the Bishops act on the further commission given them at their consecration. The action of the Council reflects the authority of these separate commissions, being taken with careful regard to the distinctive responsibilities created by them. The concurrence of those who hold these commissions gives a special significance to its decisions. The General Council has power to make Canons, Rules and Regulations and to pass resolutions, for the general management and good government of the Church of this Province and the property and affairs thereof, subject to the conditions set out in the following Declaration.

It has also the power to rescind or vary any Canons, Rules or Regulations which were adopted on the date mentioned in the Preamble or may thereafter be adopted, provided that in so doing it acts according to the provisions of the following Declaration and to the procedure at the time laid down in those Canons and Rules. It has also the power to vary these Declarations according to the procedure laid down in the twenty-fifth of these Declarations. This power to alter Canons includes the power to alter the official name of this Church and the official name of the Council itself.

Declaration 16. Of the relation of the General Council to the Episcopal Synod.

If any Book of Common Prayer is to be adopted and authorised for use in the whole Province, this must be proposed by the Episcopal Synod and accepted by the General Council, and thereafter the Episcopal Synod may authorise changes whether of alteration, addition or omission in the said book, but no such authorisation shall take effect till the changes have been accepted by the General Council in the form which after discussion in the Council is finally proposed to the Council by the Episcopal Synod. In all other cases the direction of public worship lies with the Episcopal Synod or the several Diocesan Bishops.

It does not belong to the functions of the General Council to draw up any statement purporting to define the doctrine of this Church on any question of theology, and no such statement shall be issued by the Council except when it embodies in a Canon or Rule the whole or part of a determination or statement issued by the Episcopal Synod, the terms of such Canon or Rule having been drawn up by the House of Bishops.

And generally in all questions of Faith or Order the form in which any Canon, Rule, Regulation or resolution (as the case may be) is finally passed by the Council must be one which has been drawn up by the House of Bishops.

The General Council or any House of it may draw up and present a petition to the Episcopal Synod or the House of Bishops in regard to any question of Faith or Order or any matter involving a question of Faith or Order asking the Synod or the House of Bishops to take the subject into consideration, and this petition may include a statement on such a subject which the petitioners ask the Episcopal Synod or the House of Bishops to propose to the Council as a Canon, Rule, Regulation or resolution.

Declaration 17. Of the relation of the General Council to the Diocesan Councils.

The General Council shall deal with matters of common interest to the whole Province and with those that affect the communion of the Dioceses with one another and with the rest of the Church, and shall leave the Diocesan Councils to deal with matters which concern only the members of the Church in each Diocese, and the ultimate decision of the question to which of the above classes of matters any particular subject belongs, shall rest with the General Council.

Nevertheless, the General Council shall so exercise the power of making that decision and its general powers of legislation as to give to the several Dioceses the greatest possible liberty compatible with the unity of this Church.

Declaration 18. Of the division of the Province.

The General Council shall be competent to take the necessary steps for dividing the Church of India, Burma, and Ceylon into two or more Provinces, provided that those Provinces shall be subject to one central authority in regard to matters common to the whole Church.

The Council shall also be competent to permit the severance of a Diocese or a group of Dioceses from the organisation of the Province in the interests of a Scheme of Church Union, the General Council of the Church of India, Burma and Ceylon retaining power in respect of those Dioceses only in certain matters agreed upon as part of such Scheme of Union.

Declaration 19. Of the relation of this Church to the Civil Government.

The Church of India, Burma and Ceylon recognises civil governments as the ordinance of God though they be the creation of men, and will give to the civil government that respect which is its due, so far as that government demands nothing from it or its members which is contrary to our holy religion. This Church claims as of right to be free in all spiritual matters from the direction or interposition of any civil government.

The Church of India, Burma and Ceylon is ready to enter into arrangements with any of the governments of the countries to which its members belong, if any such government desire to maintain, for the benefit of its servants, ministers of religion being priests of this Church or of the Church of England or of some other Church in communion with it. Further, although the Church of India, Burma and Ceylon adheres to the principles expressed in Declaration 8 above, "Of the territorial organisation of the Church", yet it holds itself competent to make exceptional arrangements for the episcopal supervision of Government chaplains and of the congregations to which they minister, even though such arrangements may involve the supervision by one Bishop of a congregation or congregations who live and worship within the Diocese of another Bishop, provided that every Bishop supervising such congregations under such arrangements shall be a Bishop of this Church and provided that the circumstances which those arrangements are designed to meet are in their nature transitory, and provided that at the least the general principle or scheme of such arrangements is accepted by the General Council on the recommendation of the House of Bishops.

Declaration 20. Of congregations accustomed to the services of the Church of England.

The Church of India, Burma and Ceylon desires to recognise to the full the needs of those of its congregations whose spiritual life has been nourished upon the services of the Church of England. So long therefore as this Church includes congregations of British-born people who desire the services and customs of the Church of their native land, as well as others who in this country have always been accustomed to such services in the English language, it will provide that the worship conducted in the churches frequented by such congregations shall be, as nearly as circumstances permit, similar to that in use in the Church of England. The Church of India, Burma and Ceylon will do this the more gladly and willingly because it recognises that the needs of the diverse natures of men can only be met by the allowance of a certain diversity in religious customs and worship.

Declaration 21. Of the relation of the Church of India, Burma and Ceylon to the Church of England.

Inasmuch as the Church of India, Burma and Ceylon has come into existence in consequence of action taken by the Church of England, first in sending clergymen and Bishops to minister to members of the Church of England resident in India, and second in sending clergymen and others to spread the Gospel among the people of India, this Church by origin and history has and will continue to have a special relation to the Church of England of a kind such as it can never have with any other Church, and it hopes always to remain in close fellowship with the Church of England. At first regarded as a portion of that Church separated from it only by distance, it grew to be an ecclesiastical Province though still remaining legally under the supervision of the Archbishop of Canterbury. When the legal connexion formed by Acts of Parliament between the Church of England and the Church in India was removed, the Church in India, Burma and Ceylon gained the rightful freedom of a regional Church within the universal Church to direct its own life and bear its own responsibilities. This Church aims at accomplishing for India, Burma and Ceylon, what the Church of England has accomplished for England. As the Church of England, receiving Catholic Christianity from the undivided Church, has given a characteristically English interpretation of it, so the Church of India, Burma and Ceylon aspires to give a characteristically national interpretation of that same common faith and life.

Declaration 22. Of the continuity and identity of this Church.

This Constitution and the attached Canons and Rules as drawn up in view of the severance of the legal connexion between the Church of England and the Church of India, Burma and Ceylon consist mainly of statements or explanations of the principles and law or custom of this Church as they were before the date of severance, and include directions that in certain particulars the administration of this Church is to be conducted according to the existing law or custom without any statement showing what that law or custom was. This Church has thought it wise that as few changes as possible should be introduced by the Constitution, Canons and Rules which will come into force at the date of severance. Of necessity they contain some new matter in which provision is made for things to be done which could not be done while the legal connexion between the Church of England and this Church subsisted. Some instances will also be found where the law or custom of the Church of England has been superseded by provisions more suitable to India, Burma and Ceylon. The making of these Declarations on the Constitution and the enactment of the following Canons and Rules are not to be understood as involving any repudiation of its past by this Church, or any breach of continuity, spiritual or legal, with the Church of England in India and the Church of England in Ceylon as they existed before the date of severance. Indeed the purpose which animates these Declarations on the Constitution and these Canons and Rules has been learned from the Church of England. It is the two-fold purpose of maintaining and using to the fullest effect all that is truly catholic and of patiently adapting it to "the diversities of countries, times and men's manners".

Declaration 23. Of the law and custom of this Church as they existed before the coming into force of this Constitution.

The substance of the ecclesiastical law operative within this Church before the date of severance was in many respects doubtful and obscure and was not in all parts of the Church the same. It is greatly to be desired that such doubts and obscurity should not continue on and after the date of severance. It is therefore hereby declared on the one hand that these Declarations on the Constitution and the following Canons and Rules have full force and effect notwithstanding any variance from or repugnancy with any part of the ecclesiastical law or any customary practice theretofore in force or use; every such law or part thereof and every such customary practice being hereby declared to be repealed to the extent of such variance or repugnancy but not further or otherwise. It is further declared on the other hand that every law or part thereof and every customary practice in force or in use before the date of severance remains in force or use, whether it be expressly so directed in this Constitution or in the Canons and Rules or not, unless and until it is repealed either explicitly by Declaration, Canon or Rule or (as hereinbefore declared) in consequence of variance from or repugnancy with something in this Constitution or in these Canons and Rules contained or hereafter added thereto.

Declaration 24. Of Church Courts and Church discipline.

Forasmuch as it has ever been the duty of the Church, for the saving of the souls of sinners and the safeguarding of the Christian standard of life in faith and morals, to exercise spiritual discipline upon all its members, the Church of India, Burma and Ceylon has this duty within its boundaries and will exercise it with due regard to the inalienable authority of the Episcopate in this matter. But seeing that in the primitive Church the Bishop exercised his disciplinary office with his presbyters as assessors and after consultation with his people, this Church determines that the authority of the Bishop in this respect shall be exercised in accordance with Canons and Rules of the General Council or of the Diocesan Councils adopted to that end.

In making their decisions the Courts of the Church of India, Burma and Ceylon shall be bound by the authority of Holy Scripture and of the universal Church and of any other standards received or any formularies or laws adopted by the first named Church, but in their interpretation of those standards, formularies and laws, they shall not be bound by the decisions made or to be made by any Court or person outside this Church nor shall the decisions of the Courts of Appeal of this Church be subject to appeal or to review by any person or Court outside this Church except a common Tribunal constituted by Churches in communion with this Church if any such shall be so constituted and shall be recognised by this Church through the General Council as the supreme Court of Appeal for the Church of India, Burma and Ceylon.

Declaration 25. Of changes in these Declarations.

(*a*) The truth of God as revealed in His eternal Son cannot be changed, and though man's apprehension and expression of it are alike imperfect, yet there are some expressions of it which, having been universally accepted by the Catholic Church, one Province of the Church has no claim to alter or to disown. Without infringement of this principle, the Church of India, Burma and Ceylon may be justified at some future time in wishing to change the terms of the first Declaration of the Constitution, which purports only to outline its position in relation to its inheritance of truth and life, not to define that inheritance. But such changes ought only to be made with great deliberation and very general consent.

No change, therefore, shall be made in the first Declaration except by a resolution in the General Council which can only be introduced into that Council by or on behalf of the

Episcopal Synod; and that Synod must before doing so have consulted every Diocesan Synod. Further, the resolution for the change in the first Declaration will require to be accepted in identical terms by the General Council at two sessions separated by an interval of not less than twenty-one months, no resolution to the contrary having been carried in the Council in the interval, and the terms in which it is finally adopted having been settled by the House of Bishops. The majorities needed for carrying the resolution will be simple majorities of those present in each House at the first session, and majorities of three-quarters of those present in each House at the second session. And the same resolution in identical terms must also be accepted by each Diocesan Council within a period specified by Canon or Rule with simple majorities in each House and the assent of the Diocesan Bishop, the failure of a Diocesan Council to report to the Metropolitan any action within the specified time being deemed to be equivalent to acceptance.

(*b*) The remaining Declarations of the Constitution, though they deal partly with matters which have been universally accepted and used in the Catholic Church, and which the Church of India, Burma and Ceylon claims no right to abandon or substantially to alter by provincial legislation, treat also of matters of less certainty and less universality, in which at different times and in different places the practice of the Catholic Church has varied. Consequently a somewhat wider range of alteration may, from time to time, be expedient in these Declarations than in the first Declaration.

But in order that this may be done with due deliberation, the following requirements at the least shall be observed in making changes in Declarations 2 to 24 or in adding new Declarations on similar subjects:—

A resolution for such a change or addition must be passed in substantially the same terms at two sessions of the General Council separated by at least twenty-one months by simple majorities in each House, and must also be referred to all the Diocesan Councils in the interval between the two meetings of the General Council, and the resolutions, if any, passed on it by the Diocesan Councils must be considered by the General Council.

If the resolution of change or addition relate to a question of Faith or Order, the terms in which it is at any stage put before the General Council must have been settled by the Episcopal Synod; if it relate to a matter involving a question of Faith or Order, the terms in which it is finally passed must have been so settled.

Notwithstanding anything herein contained, alterations in Declaration 20 shall be made by the procedure laid down in section (*a*) above with the exceptions that the resolution for such an alteration shall not require to be introduced by or on behalf of the Episcopal Synod and the Diocesan Synods shall not be consulted before its introduction, nor shall its terms require to be settled by the House of Bishops.

(*c*) The definitions in Chapter XLV of the Canons and Rules apply to the Declarations so far as they define terms used in these Declarations, and if it be proposed that the definitions of any terms used in the Declarations be altered, the Metropolitan shall refer to the Committee of Reference the question whether the proposed alteration would have the effect of altering the meaning of any of these Declarations, and if the answer of the Committee be in the affirmative the alteration shall only be made according to the procedure prescribed in this Declaration for the alteration of that or those Declarations whose meaning would be affected by the alteration of the definition.

(*d*) If the official name of this Church, or the official name of the General Council, be altered by the General Council, the name of the Church or of the Council, as the case may be, as so altered shall be substituted in these Declarations for the present name, wherever it may occur, and such substitution shall not be deemed to be a change in these Declarations.

(*e*) Notwithstanding anything herein contained, if in connexion with the adoption of a scheme of union of this Church or of certain of the Dioceses thereof with other Churches in India, Burma, or Ceylon it be necessary to make alterations in the Declarations of this Constitution, such alterations may, with the exceptions noted below, be made by the General Council by the following procedure:—

A resolution stating the proposed alterations as exactly as possible must be passed by the General Council at the same session as that at which it passes a resolution of general approval of the proposed scheme of union, and must be referred to all the Diocesan Councils together with that scheme. The General Council may at a second session held at least twenty-one months after that at which the resolutions referred to above were passed, after consideration of the resolutions, if any, passed on the resolution for alterations by the Diocesan Councils, finally adopt that resolution with or without amendments by simple majorities in each House of the Council.

If any part of this resolution relate to a matter involving a question of Faith or Order, the terms in which that part is finally passed must have been settled by the House of Bishops.

Alterations in the first Declaration may not be made by this special procedure, nor may alterations in the twentieth Declaration, except those relating to the name of the Church.

Any alterations in the Constitution made by this special procedure shall come into operation on the date of the inauguration of the union in connexion with which they are made.

(*f*) Any provisions in this twenty-fifth Declaration which refer to changes in the first or the twentieth Declaration may themselves be changed only by the following procedure:—

The resolution for such change must be passed in substantially the same terms at two sessions of the General Council separated by at least twenty-one months by simple majorities in each House; and the same resolution must also be accepted by each Diocesan Council within a period specified by Canon or Rule with simple majorities in each House and the assent of the Diocesan Bishop, the failure of a Diocesan Council to report to the Metropolitan any action within the specified time being deemed to be equivalent to acceptance.

Any provisions in this twenty-fifth Declaration which do not refer to changes in the first or the twentieth Declaration may themselves be changed by the procedure laid down in section (*b*) above.

CANONS AND RULES.

CANONS AND RULES.

Chapter I.

OF THE DECLARATIONS ON THE CONSTITUTION.

Canon I.—The Declarations on the Constitution accepted by the Church of India, Burma and Ceylon express the mind of this Church on those subjects of which they treat and are agreeable to Holy Scripture and to the principles that have guided the life of the historic Church. They do not set forth all that may be rightly believed by a Christian man nor all that may be rightly done by or in the Church of Christ, but certain things only which are important for the guidance of the Church of this Province in its corporate life, and for the observance of the ministers and assemblies thereof.

Canon II.—The Declarations of the Constitution will govern the procedure of the Councils and Synods of the Church of India, Burma and Ceylon to this extent, namely, that no Canon or Rule may be enacted which contains anything inconsistent with anything which is contained in any Declaration of the Constitution, nor may any Canon or Rule be enacted in a manner inconsistent with anything contained therein. If such enactment is desired, it will be necessary first to alter the Declaration with which the proposed Canon or Rule or its proposed manner of enactment is inconsistent by means of the procedure laid down in Declaration 25. But the legislation of this Church by Canon or Rule is not confined to applications of or deductions from the principles enunciated in the Constitution, nor to subjects referred to therein.

If in respect of any Canon or Rule or any part thereof hereafter enacted, altered or repealed by the General Council, the Committee of Reference shall issue a certificate of inconsistency under Chapter XLIV, Canon IV, such enactment, alteration or repeal shall to the extent mentioned in the certificate be deemed (but without prejudice to the validity of any act authorised by such enactment, alteration or repeal, and taken before the issue of the certificate) to have been void *ab initio*.

Canon III.—If at any time within ten years of the date of the enactment of this Constitution and these Canons and Rules appearing in the Preamble, the Committee of Reference shall report to the Metropolitan, that any Canon or Rule, as it was at the date of enactment, was inconsistent with any Declaration, as it was at that date, and that at the time of report this inconsistency still remains, that Canon or Rule shall not be deemed on that account to have been void *ab initio*, but the Metropolitan shall bring that matter before the General Council at its next session, and that Council shall alter the Canon or Rule so as to make it consistent with the Declaration in question. If the General Council shall under this Canon alter a Canon or Rule, it shall, notwithstanding anything contained in these Canons and Rules, have power to alter it at a single session, provided only that the Committee of Reference give a certificate that the Canon or Rule so altered; will be consistent with the Constitution.

Canon IV.—When under Declaration 25 (*a*), the Episcopal Synod is required to consult every Diocesan Synod with regard to a proposal for change in the first Declaration, it shall, if in any Diocese there be no Diocesan Synod, consult the House of Clergy, sitting with their Bishop, of that Diocese. It shall at the same time give notice to all the Diocesan Councils of its action.

The Episcopal Synod shall in so consulting the Diocesan Synods and Houses of Clergy give them a period of not less than twelve months within which to reply, and shall consider any replies received from them before framing for the General Council any motion giving the exact words which it is proposed to omit, substitute for existing words or add in the first Declaration.

Canon V.—When any resolution making a change in the first Declaration has been passed for the first time in the General Council, it shall be referred to every Diocesan Council with the instruction that they report to the Metropolitan their acceptance or rejection of the resolution before the next session of the General Council at which it is to be considered.

If before that session of the General Council each of the Diocesan Councils shall, on the most recent occasion on which it considered the resolution, have accepted it in the identical terms in which it was referred to the Diocesan Councils, and if at that session the General Council shall pass the resolution for the second time in accordance with the provisions of Declaration 25 (*a*), the change in the first Declaration shall thereupon be deemed to have been made.

If before that session of the General Council any Diocesan Council shall either on its most recent consideration of the resolution have rejected it, or for any reason have made no report to the Metropolitan, the General Council may nevertheless again consider the resolution and may pass it for the second time, and the Metropolitan shall thereupon again refer it to every Diocesan Council which has rejected it or failed to report concerning it, asking each such Council to signify to him its acceptance or rejection of it; and if at the end of twelve months from the date on which he so referred it, he shall have received notice of acceptance either from all those Diocesan Councils, or from all those who have sent him any reply, the change in the first Declaration shall be deemed to have been duly made, but if he shall have received notice of rejection from one or more of those Councils, the change shall be deemed to have been rejected.

This Canon shall also be applied to any resolution making a change in the twentieth Declaration.

Canon VI.—Subject to the provisions of Declaration 25, the procedure for passing in the General Council a resolution to make any change in Declarations 2 to 24, except in Declaration 20, or to add any new Declaration on similar subjects, shall be the same as that which is laid down in these Canons and Rules for the enactment or alteration of a Canon, save that in every case it shall be necessary that the resolution for change or addition be twice considered and passed by the General Council.

In case of a resolution under Declaration 25 (*e*), the procedure shall be that laid down in that Declaration.

Canon VII.—When a change in any Declaration has been made, or a new Declaration has been added in accordance with the provisions of Declaration 25 and the Canons and Rules of this chapter, it shall be promulgated in the same manner as is prescribed in Chapter XXX of these Canons and Rules for the promulgation of a Canon.

Canon VIII.—Upon every twentieth anniversary of the first adoption of the Constitution of this Church or not more than three years after such anniversary, a session of the General Council shall be held at which the Constitution of this Church shall by solemn resolution be confirmed, in order that it may receive the actual and considered assent of each generation. The form in which the Constitution shall on each occasion be proposed to the Council for confirmation shall be the form at the time in force in this Church, whether it be the form in which it was originally adopted, or that form as amended under the provisions of Declaration 25.

Rule 1.—Any House of the General Council, or any Diocesan Council or any Diocesan Synod, or the Houses of Clergy and Laity of any Diocesan Council may send in a petition to the Episcopal Synod praying that Synod to propose to the General Council a certain change in the first Declaration, and the Episcopal Synod shall consider such a petition without unreasonable delay, but shall be free to act upon it or not according to their discretion.

Rule 2.—In sending to the Diocesan Synods or Houses of Clergy a proposal for change in the first Declaration, the Episcopal Synod may either send them a draft of the proposed alteration, or merely indicate the passage in which alteration is proposed or suggested.

Rule 3.—A proposal to change the terms of the first Declaration must, in accordance with Declaration 25, be brought before the General Council by a motion moved on behalf of the Episcopal Synod, and that motion shall be to the effect that *in the opinion of this Council some change is required in Declaration number 1, para. . . . .* and may be accompanied by some indication of the nature of the change required. A second motion may also be simultaneously submitted on behalf of the Episcopal Synod setting out the words which are proposed to be omitted, substituted for existing words in the Declaration, or added. The first motion shall first be debated and voted upon by the Council, and if it be passed in each House of the Council, the second motion (if one has been submitted) shall at once be referred to the House of Bishops, who shall consider it, or if there shall have been no second motion, that House shall consider what words they will propose to omit, substitute or add, and in either case shall prepare for submission to the Council a definite resolution that certain words be omitted, substituted for certain other words, or added. When this resolution is moved in the Council, no amendment may be moved to it, but a motion may be made requesting the House of Bishops to consider whether they will consent to propose to the Council a given amended form of their resolution. If this motion be carried by majorities of those present in the House of Clergy and the House of Lay Representatives, the House of Bishops shall consider the suggested amended form of their resolution, but shall be free to adopt or reject it according to their discretion, or to bring forward a new proposal of their own. No resolution that certain words be omitted, substituted for certain other words, or added in the first Declaration shall be voted upon by the General Council except in the terms in which it is submitted to the Council by the House of Bishops.

Rule 4.—Any motion under Rule 3 setting out the exact words of a change proposed in the first Declaration may be introduced on behalf of the Episcopal Synod or House of Bishops at any meeting of a session of the General Council, notwithstanding any general regulation that may govern the notice required for the introduction of a motion in the Council, provided that notice of it shall have been given at a meeting of the Council prior to that at which it is introduced.

Rule 5.—If at the second or any subsequent consideration by the General Council of any resolution to make a change in the first Declaration, any alteration be proposed in the terms of the resolution, the procedure laid down in Rule 3 of this chapter shall be followed with regard to the actual terms of such alteration.

Rule 6.—If any Diocesan Council shall report to the Metropolitan its rejection of a resolution referred to it under Canon V of this Chapter, it shall also report to him for the information of the General Council the results of the voting in each House.

Rule 7.—When a resolution is referred to the Diocesan Councils under Canon V of this Chapter, acceptance of the resolution by a Diocesan Council may, if it be so desired, take the form of an intimation that it is instructing its representatives to move in the General Council a motion of request to the House of Bishops to consider a certain alteration in the resolution, but is also empowering them to vote for the resolution as submitted to it.

Chapter II.

OF THE AUTHORITY AND SCOPE OF THE CONSTITUTION, CANONS AND RULES AND OF THE CONSENSUAL COMPACT.

Canon I.—The fundamental authority of these Canons and Rules as of the Constitution is that which belongs to the truth and wisdom that may be contained and expressed in them. The test of truth which the Church of this Province accepts is correspondence with the truth of God as it appears from His Holy Word and from the experience of His Holy Catholic Church. Similarly, the test of wisdom which it accepts is correspondence with the wisdom of God as it appears from His Holy Word and from the experience of His Holy Catholic Church, and correspondence with the needs of men, especially in this Province of the Church.

The Constitution and these Canons and Rules have behind them also the authority of the persons who from time to time enact them, which is two-fold, *viz.*, the authority of the Bishops as Bishops of the Catholic Church, and the authority of the Bishops, Clergy, and Laity of the General Council, as representatives of the Church of this Province. Nearly all the most important of these Declarations, Canons and Rules are further supported in substance by the authority of the Apostles or that of the Councils of the Primitive Church or that of the experience of the Catholic Church throughout many generations.

Canon II.—While the authority described in Canon I should induce the members of the Church to give a willing obedience to these Canons and Rules, they have also that claim to their reasonable obedience which the laws of every Society have upon its members. For membership of a Society includes a consent and mutual compact (whether implicit or explicit) to be bound by the laws of that Society. But if such a compact is to be willingly kept, the Society must have the means of improving its laws, and must use those means. It is therefore the duty of all members of the General Council to labour from time to time to make the Constitution, Canons and Rules of this Church more true and wise, in humble reliance upon the continual aid of the Spirit of truth and wisdom.

Canon III.—The Canons and the Rules are both equally laws of this Church, but they form two classes of laws. The Canons relate to matters of principle or practice on which this Church lays emphasis as governing or determining the rest of its actions, while the Rules set out in detail the methods by which the administration of the Church is to be carried out in accordance with the Canons. In conformity with this distinction greater deliberation and a greater measure of consent are required for changing Canons than for changing Rules.

Canon IV.—The Schedules attached to these Canons and Rules have the force of Canons and the Appendices appended to these Canons and Rules have the force of Rules, and any alteration or amendment in either must be made in accordance with the provisions of Chapter XLIV for the alteration of Canons and Rules respectively.

Canon V.—In regard to matters not dealt with or points not provided for in the Constitution or in the Canons or Rules, the law or custom of the Church of this Province as it was at the date of severance shall remain in force so far as such law or custom or any part of either is not repealed by, or at variance with, or repugnant to, anything contained in the Constitution or these Canons and Rules, but when this Church shall, by Declaration, Canon or Rule, have dealt with any matter or provided for any point, then the law or custom of this Church at the date of severance shall not be held to justify any member for ignoring or disobeying such Declaration, Canon or Rule.

Canon VI.—Inasmuch as the obedience of the ministers and officials of the Church to the Canons and Rules is a matter of special concern to the whole body, every Minister of this Church and every member of the General Council and of any Diocesan Council, and every other such official, as these Canons and Rules or the constitution or rules of a Diocesan Council may direct, shall be required before entering upon any Order, charge, office or duty in this Church, to make a special declaration that he assents to the Constitution, and will obey the Canons and Rules of this Church, and by this declaration such assent and obedience become conditions of his tenure of such charge, office or duty in the Church. And here it is to be noted that the consent to be bound by the Canons and Rules of this Church given and declared in these declarations implies only obedience to the requirements of the said Canons and Rules, and does not necessarily imply approval of everything that is contained therein or that may be supposed to be deducible therefrom:

and that assent to the Constitution means a hearty acceptance of the general purport of the Declarations in which it is set forth, but does not imply agreement with every detail cr with the expression of every phrase.

Canon VII.—If any question shall arise concerning the meaning of the Declarations, or of the Canons or Rules, or concerning the meaning of the assent to the Constitution or of the obedience to the Canons and Rules which are required therein, the decision of the Court of the Episcopal Synod shall, subject to the provisions of Declarations 4 and 24, and of Chapters XL and XLI of these Canons and Rules, be absolutely conclusive and irreviewable.

Rule 1.—Wherever it is expressly provided in these Canons and Rules that any matter shall be regulated by, or any act done in accordance with, the customary practice prevailing immediately before the date of severance, in determining the nature of such practice in any particular instance it shall not be necessary, in the case of a customary practice shown to have prevailed immediately before the date of severance, to consider or determine whether such practice was at that date legal.

Chapter III.

OF THE DECLARATIONS TO BE MADE BY MINISTERS AND OTHER OFFICIALS OF THIS CHURCH.

Canon I.—The following oath and declaration shall be taken, made and subscribed at the time appointed in Chapter IX, Canon V, in the presence of the Metropolitan or some other person in communion with this Church by him deputed by every person elected or appointed to be a Bishop in this Province, save that the oath shall not be taken by a person elected to be Metropolitan, *viz.*:

(*a*) The oath of canonical obedience to the Metropolitan:

> In the Name of God, Amen. I, A. B., chosen Bishop of the Church and See of . . . . (*or* chosen Coadjutor *or* Assistant Bishop in the Diocese of . . .) do profess and promise all due reverence and canonical obedience to the Metropolitan Bishop of this Province and to his successors: So help me God, through Jesus Christ.

(*b*) The declaration concerning the Faith and Order of the Church.

> I, A. B., chosen Bishop of the Diocese of . . . . (*or* chosen Coadjutor *or* Assistant Bishop in the Diocese of . . .) do promise that I will teach and maintain the faith of our Lord Jesus Christ, and the doctrine and discipline by Him delivered to the Church, as accepted and acknowledged by the Church of India, Burma and Ceylon. And I also do declare that I assent to the Constitution of this Church, and I agree to be bound by *and to govern my Diocese in conformity with* the Canons and Rules of this Church, as they are now in force or may during my tenure of the office of Bishop in this Church by due authority be modified, †and also to be bound by and act as Bishop in accordance with the constitution and regulations of the . . . . Diocesan Council as they are now in force or may during my tenure of the office of Bishop in the said Diocese in accordance with the Canons of this Church be amended.† And I hereby undertake to accept and to submit to any sentence which may at any

*** . . . . . . *These words to be omitted by a Coadjutor or Assistant Bishop.**

† . . . . †These words to be omitted where there is no Diocesan Council.

time be passed upon me after due examination had, by any Court acknowledged by the General Council for the trial of a Bishop, saving any rights of appeal which may be allowed by the said General Council.

(*c*) If he shall have been elected or appointed to be the Bishop of a Diocese which contains any maintained Church or Government chaplain, he shall also make and subscribe the following undertaking:

> I, A. B., chosen Bishop of the Diocese of . . . . do undertake that if the proper authorities under the Indian Church Statutory Rules shall decide to take away partly or wholly my jurisdiction over any chaplain, church or place which is now or may hereafter be within my jurisdiction, or to restore to my jurisdiction such chaplain, church or place, or any chaplain, church or place which is now exempted from my jurisdiction, I will accept such decision and will act and allow others to act accordingly.

Canon II.—The following oath and declaration shall be taken, made and subscribed before the Diocesan Bishop or before some person by him duly appointed by every person about to be admitted to the Holy Order of Deacons or to that of Priests and by every clergyman about to be licensed to officiate in any Diocese or about to be admitted to the office of Archdeacon or any other office in the Church of this Province which may be specified in the Rules of this chapter, *viz.*:

(*a*) The oath of canonical obedience:

> I, A. B., do swear that I will pay true and canonical obedience to the right Reverend . . . . . Bishop of . . . . . and his successors, Bishops of . . . . . in all things lawful and honest. So help me God.

(*b*) The declaration concerning matters of faith and the formularies of the Church.

> I, A. B., do solemnly make the following declaration:—
>
> In humble dependence on the grace of God I confess my faith in our Lord Jesus Christ, and in common with the One Holy Catholic and Apostolic Church I heartily accept His revelation of God and His teaching concerning us men and our salvation, and I accept the Canonical Scriptures of the Old and New Testaments as the Church hath accepted them, and the Creeds, commonly called the Apostles' and the Nicene Creeds, and in common with the Church of this Province I believe the doctrine set forth in the Book of Common Prayer and Ordering of Bishops,

Priests and Deacons which this Church has accepted and authorised to be agreeable to the Word of God, and I will preach and teach, God helping me, according to these standards: and in public Prayer and administration of the Sacraments I will use only the forms contained in the said Book of Common Prayer, or such other forms as are authorised for use in the Province by the Episcopal Synod or are permitted by the Bishop of the Diocese of . . . .

(*c*) The declaration of acceptance of the Constitution and obedience to the Canons and Rules of the Church of this Province:

I, A. B., now about to be admitted to the Holy Order of Deacons (*or* Priests) (*or* I, A. B., now about to be licensed to officiate in the Diocese of . . . .) (*or* I, A. B., now about to be admitted to the office of . . . . in the Diocese of . . . .) do declare, that I assent to the Constitution of the Church of this Province, and I agree to be bound by the Canons and Rules of this Church as they are now in force or may during the period of my ministry or service in this Church by due authority be modified *and also to be bound by the constitution and regulations of the Diocesan Council of the Diocese of . . . . as they are now in force or may during the period of my ministry or service in the said Diocese in accordance with the Canons of this Church be amended.* And if in virtue of such ordination as Deacon (*or* Priest) (*or* such licence to officiate in this Diocese) I be appointed to any office or charge in this Diocese (*or* if I be admitted to such office of . . . .) I hereby undertake to accept and to submit to any sentence which may at any time be passed upon me, after due examination had, by any Court acknowledged by the General Council of the said Province for the trial of a clergyman, saving all rights of appeal allowed by the said Council.

*** . . . . *These words to be omitted where there is no Diocesan Council.**

Canon III.—Declaration to be made by members of the General Council and of the Diocesan Councils.

(*a*) Every member of the General Council, not being a Bishop or clergyman who has already made the declarations prescribed by Canon I or Canon II of this section, shall before he takes his seat in the Council sign the following declaration, *viz.*:

I, A. B., chosen member of the General Council, do solemnly declare that I am a communicant member of the Church of India, Burma and Ceylon and that I assent to the Constitution of the Church of the Province and I agree to be bound by the Canons and Rules of this Church and as a member of the General Council to act according to the regulations and standing orders of the said Council.

(*b*) Every member of any Diocesan Council, not being a Bishop or clergyman who has already made the declarations prescribed by Canon I and Canon II of this section, shall before he takes his seat in the Council sign before the Bishop or before some person by him appointed the following declaration, *viz.*:

> I, A. B., chosen member of the . . . . Diocesan Council, do solemnly declare that I am a communicant member of the Church of India, Burma and Ceylon and that I assent to the Constitution of the Church of this Province and I agree to be bound by the Canons and Rules of this Church, and as a member of the . . . . . . Diocesan Council to act according to the constitution, rules, regulations and standing orders of that Council.

Canon IV.—Declaration to be made by Registrars and other lay officials of this Church.

Every Registrar and other lay official of this Church who in these Rules or in the rules or regulations of any Diocesan Council may be directed so to do, shall before entering upon office make before the Bishop or before some person by him appointed the following declaration, *viz.*:

> I, A. B., about to be admitted to the office of . . . . . . do solemnly declare that in all my actions in the exercise of that office and in the performance of the duties attaching to it I will be bound by and conduct myself according to the Canons and Rules of the Church of India, Burma and Ceylon and the Regulations of the General Council of this Church and the constitution, rules and regulations of the . . . . Diocesan Council so far as they apply to my office and the duties attaching to it.

Chapter IV.

OF THE NAME AND IDENTITY OF THIS CHURCH.

Canon I.—Up to the date of severance, this Church was known in law as the Church of England in India and the Church of England in Ceylon. From the time when the Bishop of Calcutta became Metropolitan, that is, from the year 1838, the Ecclesiastical Province of India and Ceylon has existed. Subsequently after the annexation of Burma to India, the Province included that country. The name "The Church of the Province of India, Burma and Ceylon" which had long been a correct ecclesiastical description of this Church was adopted as the name to be used in official documents of and concerning the Provincial Council by the Provincial Assembly held in Calcutta on January 25, 1922.

Canon II.—The official name and description of the Church to which these Canons and Rules relate is "The Church of India, Burma and Ceylon, formerly known as the Church of England in India and the Church of England in Ceylon" and this Church may in India be referred to as "The Church of India", and in Burma as "The Church of Burma", and in Ceylon as "The Church of Ceylon".

Canon III.—The name of this Church may be altered as is recognised in section 1 of the Indian Church Measure, 1927, and section 1 of the Indian Church Act, 1927. This alteration must be made by the General Council, and the procedure for altering the name which stands in the last preceding Canon shall be the same as that which is required for the alteration of any other Canon.

Canon IV.—To the intent that the Church of this Province may be free and competent in law to make any change whatsoever in its Constitution, Canons, Rules and formularies without thereby endangering or bringing into question its identity or continuity in law as a voluntary society founded upon mutual contract between all its members, it is by the Constitution and by these Canons and Rules provided that every part of the same, be it Declaration, Canon or Rule or any other provision, may lawfully be changed in the manner herein provided. Nevertheless, it is not the mind or intention of this Church that any such changes, although legally within its power, should be made which may endanger or bring into question its spiritual identity or continuity as a living part of the Holy Catholic Church.

It is therefore by this Canon provided that when any proposal, whether it be for the enactment of a new Declaration, Canon or Rule, or for the alteration or abrogation of an existing Declaration, Canon or Rule, or for any other purpose whatsoever is brought before the General Council at any time, any member shall have the right to raise the question whether the adoption of that proposal would endanger or bring into question the spiritual identity or continuity of the Church of this Province as a living part of the Holy Catholic Church,

and if any House of the Council shall agree that the aforesaid question should be considered, the proposal shall be at once referred to the Episcopal Synod sitting with assessors for consideration in reference to the aforesaid question, and neither the proposal itself nor any part thereof shall be further debated or voted on in the General Council, till the Synod have reported to that Council the results of their consideration.

Nothing in this Canon shall be taken or construed in any wise to limit the alterations in the Constitution or in these Canons and Rules which, subject to the adoption of the appropriate procedure, may lawfully be made therein.

Canon V.—It shall be competent for either not fewer than one-third of the House of Bishops, or for not less than two Diocesan Bishops of the Province with the support of two or more Diocesan Councils or of two or more Diocesan Synods, or for the majority of the House of Clergy of the General Council, to require the Metropolitan to refer to all the Metropolitan Bishops in communion with the Church of this Province the question whether in consequence of or in the event of the adoption of a certain proposal by the General Council, the Provinces over which those Metropolitans respectively preside will break off communion with the Church of this Province, and if the Metropolitan of this Province be so required, he shall refer the above-mentioned question to the aforesaid Metropolitans. The Metropolitan shall report to the General Council the replies which he may receive at the earliest opportunity.

Rule 1.—If any member of the General Council desire to raise the question referred to in Canon IV of this Chapter, he shall do so by moving a resolution in the following or similar terms, namely—

> "That the proposal before the Council be forthwith referred to the Episcopal Synod for consideration whether its adoption would endanger or bring into question the spiritual identity or continuity of the Church of this Province as a living part of the Holy Catholic Church."

This motion may be made at any point in a debate, but not so as to interrupt a member speaking.

If this motion be seconded, it shall at once be debated and a vote thereon taken by Orders, and if the motion be carried in any one of the three Houses of the Council, the substantive proposal shall stand referred to the Episcopal Synod.

Rule 2.—The Episcopal Synod may, if it think fit, issue a Determination with regard to any of the questions of Faith or Order raised by the proposal which has been referred to it, and may also at its discretion defer its decision with regard to the proposal beyond the current session of the Council, in which case that proposal shall not be considered further by the Council at that session.

Rule 3.—When any proposal has under Canon IV of this Chapter been referred to the Episcopal Synod, no motion may be made in the Council which in the opinion of the President raises any of the questions raised by that proposal, until the Synod has reported to the Council the results of its consideration.

Chapter V.

OF THE DIOCESES OF THIS PROVINCE.

Canon I.—Inasmuch as the number and extent of the Dioceses of this Province may be altered by Canon of the General Council, there shall be two Schedules always attached to these Canons and Rules, the first Schedule setting forth the date at which every Diocese which ever was a Diocese of this Province was formed, and, if any such Diocese have ceased to be a Diocese of this Province, the date on which it so ceased, and the second Schedule setting forth the names and extent of the Dioceses of this Province as they were at the date of the issue of the edition or reprint of these Canons and Rules to which the Schedule is attached and the manner in which they were at that time classified under Chapter VI of these Canons and Rules, and any Diocese mentioned in the second Schedule shall be taken to be a Diocese of the Province of India, Burma and Ceylon at the date, and its extent to be that which is stated in the Schedule.

Canon II.—From and after the date of severance the Bishops in charge of the Dioceses and jurisdictions set out in the second Schedule to these Canons and Rules shall administer those areas as Diocesan Bishops with independent authority, and all arrangements which existed before that date whereby any Bishop exercises jurisdiction over a part or the whole of his Diocese by commission from any other Bishop shall cease and determine, and the area of each Diocese shall be the area stated in the said second Schedule until it be altered under these Canons and Rules.

Canon III.—The General Council shall have full power to take all measures that may be necessary for the erection of a new Diocese whether within or beyond, or partly within and partly beyond, the bounds of any of the existing Dioceses of this Province, as they shall at the time be set out in the second Schedule to these Canons and Rules, or for altering the bounds of any two or more contiguous Dioceses or for associating or incorporating with the Church of this Province any Missionary or other Dioceses in adjacent countries, or to permit any Diocese to sever itself from the Province in order to join some other adjacent Province which shall at the time be in communion with this Province.

Canon IV.—The form of enactment by which the number or extent of the Dioceses of this Province may be altered by the General Council shall be the amendment of the first and second Schedules to these Canons and Rules in such a way as to record and sanction the change proposed.

The same procedure shall be necessary for any such enactment as is laid down in these Canons and Rules for the alteration of a Canon, except that the General Council shall not give its final sanction to such enactment unless and until the Diocesan Councils of all then existing Dioceses which will be affected by the change have passed resolutions approving of it. If the Bishop of any Diocese concerned in any modification of diocesan boundaries shall not concur in that modification, it shall not come into force during his tenure of the See.

Canon V.—The Church of this Province maintains the ancient custom of dividing the Dioceses on a territorial basis only, and the Bishop of every Diocese shall have ordinary jurisdiction throughout his Diocese and no Bishop shall have any ordinary jurisdiction outside his Diocese; but nevertheless it shall be lawful for the Church of this Province to permit certain exceptions to this principle in virtue of which a Bishop of this Province may be given supervision of a congregation or congregations within the territorial limits of the Diocese of another Bishop of the Province in order to provide for transitory circumstances relating to Maintained Churches and Government chaplains and to carry out any arrangements in that behalf which may be made under the Indian Church Statutory Rules.

Rule 1.—When proposals under Canon IV of this Chapter are brought before the General Council, the boundaries of all the Dioceses concerned as they will be after the change need not be exactly stated when the matter comes before that Council for the first time, but must be exactly stated in the resolutions of approval of the Dioceses concerned and in the final enactment of the General Council.

Rule 2.—No proceedings for the division of a Diocese shall be initiated during a vacancy of any See directly affected by such proposal, and neither the first nor the second vote of the General Council on the proposal shall be taken while any See so affected is vacant, but proceedings initiated under one Bishop may be carried forward with the concurrence of his successor as if no vacancy had intervened. No such division and no alteration in the boundaries of a Diocese shall come into force during the vacancy of a See unless it shall have been proposed, discussed and agreed to by the General Council before the See became vacant.

Chapter VI.

OF FULLY ORGANISED DIOCESES AND MISSIONARY DIOCESES.

Canon I.—The Dioceses of this Province shall be classified as fully organised Dioceses and Missionary Dioceses, and the class to which each diocese belongs shall be shown in the second Schedule attached to these Canons and Rules.

Canon II.—All the fourteen Dioceses which formed the ecclesiastical Province of India, Burma and Ceylon at the date of the adoption of the Constitution (31st January, 1930) shall be considered to be at that date fully organised Dioceses except the Diocese of Nasik.

Canon III.—The General Council has power to determine that a new Diocese shall be from the date of its formation a fully organised Diocese, or that an existing Missionary Diocese shall become a fully organised Diocese, if such Diocese in either case possess the qualifications which may from time to time be declared in these Canons and Rules to be necessary for the status of a fully organised Diocese, and similarly has power, if any of those qualifications have for a continuous period of ten years been lacking in any Diocese, to declare that that Diocese is no longer a fully organised Diocese.

The form of enactment by which the General Council may determine that any Diocese is a fully organised or a Missionary Diocese shall be the amendment of the second Schedule to these Canons and Rules in such a way as to show the new status given to the Diocese concerned by the General Council.

Canon IV.—The qualifications in view of which a diocese will in future be given the status of a fully organised Diocese are the following:—

(*a*) that there be in that diocese at least twenty priests holding the Bishop's licence, and at least ten parishes; and

(*b*) that a Council exist therein whose constitution complies with the requirements of Chapter XXXIV of these Canons and Rules and which is in the opinion of the General Council capable of performing the duties assigned to Diocesan Councils under these Canons and Rules; and (*c*) that it have attained such a measure of self-support as shall from time to time be required by these Canons and Rules.

Canon V.—A Missionary Diocese may under the provisions of Chapter V of these Canons and Rules be formed within or without this Province, particularly with the object of enabling the evangelisation of a given area to be conducted with the full complement of the Church's ministries.

Rule 1.—The whole period of ten years mentioned in Canon III of this Chapter must be subsequent to the date of the adoption of these Canons and Rules.

Rule 2.—To satisfy the requirements of Canon IV (*c*) of this Chapter in the matter of self-support, it shall suffice that one-fourth of the total amount of the salaries of all clergy serving in a Diocese other than chaplains wholly maintained by Government and missionaries supported by missionary bodies outside the Diocese is met by monies raised in the Diocese, among which may be reckoned grants-in-aid from sources within India, Burma or Ceylon and interest on diocesan endowments, applicable to the maintenance of clergy.

Rule 3.—If in a Missionary Diocese a Council of the Diocese be established, that Council shall not be regarded as a Diocesan Council for the purposes of these Canons and Rules, even though its constitution may comply with the requirements of Chapter XXXIV of these Canons and Rules, until that Missionary Diocese is declared by the General Council to be a fully organised Diocese.

Chapter VII.

OF BISHOPS AND THEIR FUNCTIONS.

Canons I to IV. Diocesan Bishops.

Canon I.—Every Bishop who is exercising jurisdiction over any Diocese of the Church of India, Burma and Ceylon, whether it be a fully organised Diocese or a Missionary Diocese, is the equal as a Bishop of any other such Bishop in all respects named in Declaration 4 of the Constitution, whatever differences may exist or may have existed in the mode of appointment or maintenance of such Bishops, and notwithstanding the differences in administration which will be occasioned by the presence or absence of a Diocesan Council in his Diocese.

Canon II.—A Diocesan Bishop shall hold the See for life, unless he resign, or be translated, or depart permanently from the Diocese, or be deprived by the Court of the Episcopal Synod, or be adjudged by the Episcopal Synod to be mentally or physically incapable of discharging the duties of his office.

Canon III.—No Bishop shall be a member of the Episcopal Synod or of the House of Bishops, or be summoned to sit in the Court of the Episcopal Synod as a member of the Court unless he be a Bishop at the time exercising jurisdiction over one of the Dioceses of the Province, except that a Coadjutor or Assistant Bishop may sit as a member of the Episcopal Synod or of the House of Bishops instead of his Diocesan Bishop if that Diocesan Bishop shall have given him a commission under his hand so to sit in his absence, and that a Coadjutor Bishop may sit under the provisions of Canon X (*b*) of this Chapter.

Canon IV.—The Episcopal Synod may, if it think fit, specify certain matters or classes of matters in which an individual Bishop shall not give a dispensation except under certain conditions, such as that, before giving it, he must have consulted, or he must have obtained the consent of, the Metropolitan or the Episcopal Synod itself.

Canon V. The Metropolitan.

Canon V.—The Metropolitan Bishop of Calcutta has in addition to his functions as a Diocesan Bishop the following functions as Metropolitan of the Church of this Province:—

(1) to have and exercise a general authority, leadership and supervision over the whole Province, and over the Bishops thereof, who shall at their consecration or (if consecrated outside the Province) at their translation to a See or episcopal charge within the Province, take the oath of canonical obedience to the Metropolitan Bishop of Calcutta;

(2) to summon the Episcopal Synod and to preside over it;

(3) to summon the General Council and to preside over it;

(4) to arrange for the due confirmation by the Bishops of the Episcopal Synod of the election or appointment of any person to be a Bishop in this Province;

(5) together with the other Bishops of the Province, or, at the least, two of them, to consecrate as Bishops those persons who shall have been duly elected or appointed and whose election or appointment shall have been duly confirmed;

(6) to receive appeals from sentences of Diocesan Courts, and, subject to the provisions of Chapter XL below, to sit as President of either of the Courts of Appeal of this Province, when such appeals are heard;

(7) subject to the provisions of Chapter XLI below, to preside over the Court of the Episcopal Synod when it sits to hear and to decide upon charges brought against any Bishop of this Province;

(8) to visit officially any Diocese of the Province, when invited to do so by the Bishop of that Diocese, or whenever it shall seem desirable to himself, after due consideration of the needs of the Province or of the Diocese.

During the Metropolitan's visitation the exercise by the Bishop of the Diocese of his jurisdiction as Bishop lapses to the Metropolitan unless the Metropolitan wholly or in part relaxes this inhibition;

(9) as representative of the Province to correspond officially with the Metropolitans of other Churches, or with other persons, and with the Bishops of this Province, and generally to take such action on behalf of the Province as shall from time to time seem to him necessary, provided always that the Metropolitan cannot, by action taken on his own initiative, pledge the Province to any course which it has not by its constitutional assemblies approved.

Canons VI to XIII. Coadjutor and Assistant Bishops.

Canon VI.—A Coadjutor or an Assistant Bishop is competent in virtue of his consecration to perform any spiritual act which belongs to the office of a Bishop, but he has no authority to perform any such act unless that authority be given him by a Diocesan Bishop.

Canon VII.—A Coadjutor Bishop shall have the right of succession to the See in which he is Coadjutor immediately upon the voidance of that See.

Canon VIII.—A Coadjutor Bishop shall not be appointed in the Metropolitical See.

Canon IX.—Subject to the limitation imposed by Canon VIII,

(*a*) If by reason of increasing age or failing health, a Diocesan Bishop shall desire the appointment of a Coadjutor Bishop to help him in the discharge of his episcopal duties, he shall apply to his Diocesan Council, and, if they shall agree and shall be prepared to make suitable financial provision, the Bishop and his Diocesan Council, shall present a petition to the General Council for its assent to the appointment of a Coadjutor Bishop, setting forth the considerations on account of which they desire the appointment of such Coadjutor Bishop and the financial provision which the Diocese is prepared to make. If the General Council give its assent, the election shall proceed according to the Rules set forth in Chapter VIII of these Canons and Rules.

(*b*) If a resolution shall be passed in any Diocesan Council by a majority in each House praying the General Council to assent to the appointment of a Coadjutor Bishop in that Diocese, the General Council shall consider and decide upon this petition, even if the Bishop of the Diocese shall not have given his assent thereto, provided that such petition shall be first brought before the House of Bishops and shall only be considered by the whole General Council if it shall have been approved by the House of Bishops. If the General Council shall assent to the appointment of a Coadjutor Bishop under this section of this Canon, the Bishop of the Diocese must on the election or appointment of such Coadjutor Bishop give to him such jurisdiction and work as may be determined by consultation between the Bishop of the Diocese and the Metropolitan, the Metropolitan having in the case of disagreement the final decision.

Canon X.—(*a*) A Coadjutor Bishop has no jurisdiction except such as may be given to him by his Diocesan Bishop, and it shall be his duty to perform any episcopal function or work which the said Diocesan Bishop shall assign to him, subject to any Canons which the General Council may have adopted concerning the duties of Coadjutor Bishops.

(*b*) In the absence of the Diocesan Bishop from his Diocese, or at such times as the said Diocesan Bishop may be incapacitated by sickness, a Coadjutor Bishop shall act as his Vicar General and do all such acts both within the Diocese and as a member of the Episcopal Synod, including sitting in the Synod and in the House of Bishops, as the Diocesan Bishop has authority to do, without any further commission or appointment.

(*c*) On the voidance of the See, in which he has been made Coadjutor, the Coadjutor Bishop shall forthwith become the Bishop of that See, and arrangements shall as soon as possible be made for his enthronement.

Canon XI.—If in any Diocese a Diocesan Bishop and his Diocesan Council desire the appointment of an Assistant Bishop and are prepared to make adequate financial provision, the Metropolitan and the General Council may consent to the appointment of such Assistant Bishop, as a temporary measure or with a view to the division of the Diocese; and in the Metropolitical See consent for such appointment may also be given in such circumstances as in another Diocese would justify the appointment of a Coadjutor Bishop.

Canon XII.—(*a*) An Assistant Bishop has no jurisdiction except such as may be given him by his Diocesan Bishop, and it shall be his duty to perform any episcopal function or work which the said Diocesan Bishop shall assign to him.

(*b*) It shall not be competent for an Assistant Bishop to act for the Diocesan Bishop during the latter's absence from the Diocese or incapacity, unless he either be his permanent Commissary or have received from him a special commission to act during that period of absence or incapacity.

(*c*) As soon as the Bishop of a Diocese in which there is an Assistant Bishop ceases for any cause to be the Bishop of that Diocese, the appointment of the Assistant Bishop shall immediately cease and determine, but the Metropolitan may at his discretion give to the former Assistant Bishop a commission for the period of the vacancy either to administer the Diocese on his behalf or to perform certain specified episcopal acts therein. The next Bishop of the Diocese, so soon as he has become Bishop of the Diocese, may either appoint his predecessor's Assistant to be Assistant Bishop to himself, or may give him a commission so to act pending the division of the Diocese, but if he shall do neither of these things, the former Assistant Bishop shall have no right to perform any episcopal office or function unless specially requested to do so by a Diocesan Bishop.

Canon XIII.—Every Coadjutor and Assistant Bishop shall be entitled to sit as a member of the House of Clergy of the General Council, and may be appointed as a clerical assessor to the Episcopal Synod or (subject to the provisions of Chapters XL and XLI) to the Court of the Episcopal Synod or to the Court of the General Council, and may as a member of the House of Clergy of the General Council be appointed to any Committee, Commission or Board of the Council.

General.

Canon XIV.—If it shall be necessary at any time that the functions of Bishops shall be further defined, the Episcopal Synod shall draw up a determination on the matter, either on its own initiative, or on a request from the Metropolitan, or any Bishop, or the General Council, or any Diocesan Council, and the General Council may make additions to this Chapter in accordance with the determination.

Rule 1.—The General Council may empower its Standing Committee to take any action assigned in Canon IX or Canon XI of this chapter to the whole General Council.

Rule 2.—A motion to introduce in a Diocesan Council a resolution with regard to the appointment of a Coadjutor Bishop in the Diocese may not be excluded by the Bishop of the Diocese from the agenda of that Council if it be supported by the signatures of at least one-fifth of the clerical and one-fifth of the lay members of the Council.

Rule 3.—If any petition for the appointment of a Coadjutor Bishop be brought before the House of Bishops under Canon IX (*b*) of this Chapter, that House shall consider any representation that may be made to them by the Bishop of the Diocese concerned, and shall hear representatives of the Diocesan Council of that Diocese if that Council so desire.

Rule 4.—If an Assistant Bishop has charge of a particular district of the Diocese assigned to him by the Diocesan Bishop, the latter shall not issue a general commission to act as Commissary in that district during the Diocesan Bishop's absence or incapacity to any person other than the Assistant Bishop, unless the Assistant Bishop be himself absent from the Diocese or incapable of acting.

Chapter VIII.

OF THE ELECTION OR APPOINTMENT OF BISHOPS AND METROPOLITANS.

Canon I.—It is desirable, where suitable arrangements can be made and successfully carried through, that a Bishop should be elected by the faithful of the Diocese over which he is to preside, particularly because it is an ancient and important part of the duty of a Diocesan Bishop to be the representative of his Diocese in the Councils of the Church and in relation to other Dioceses.

Canon II.—The Diocesan Council of every fully organised Diocese shall at each vacancy of the See elect a Bishop for the Diocese, or procure his appointment, by the methods set forth in the following Canons.

Canon III.—Inasmuch as the Bishop of Calcutta is the Metropolitan of the Province and has a peculiar relation to the Bishops thereof, both the Diocese of Calcutta and the House of Bishops of the General Council shall take part in his election, which shall be conducted according to the Rules given in Appendix B to these Canons and Rules.

Canon IV.—Until this Church shall take other order, a Diocesan Council shall elect a Bishop, or procure his appointment, in one of the following methods, which are described more fully in the Rules of this Chapter and in Appendix A to these Canons and Rules:—

(1) Direct election by the Diocesan Council.

(2) Election by an Electoral Body appointed by the Diocesan Council.

(3) Election by the Diocesan Council of persons out of whom a committee of Bishops of the Province appointed by the Council shall together with the Metropolitan appoint a Bishop for the Diocese.

(4) Election by an Electoral Body appointed by the Diocesan Council of persons out of whom a committee of Bishops of the Province appointed by the Electoral Body shall together with the Metropolitan appoint a Bishop for the Diocese.

(5) Election by the Diocesan Council of a committee of Bishops of the Province, who shall together with the Metropolitan appoint a Bishop for the Diocese.

Provided that in the Diocese of Colombo the Bishop shall be elected or appointed in the manner laid down in the Constitution and Fundamental Provisions of that Diocese, as they exist at the date of the Preamble to this Constitution, Canons and Rules, or may thereafter by the Colombo Diocesan Council be modified, unless and until that Council shall adopt the provisions of this Canon and of the Rules of this Chapter under this Canon for the election of a Bishop.

Canon V.—In a Missionary Diocese, the Bishop shall be appointed by the Metropolitan after taking advice in such manner as is laid down in the Rules of this Chapter.

Canon VI.—Every election or appointment of a Bishop in this Province is under Canon I of Chapter IX subject to confirmation by the Episcopal Synod, but this confirmation may not be withheld except when either the election or appointment shall be proved to have been invalid, or the Synod shall judge the person elected or appointed to be unfit in respect of character, conduct or teaching to be consecrated or exercise the functions of a Bishop.

Canon VII.—If the person elected or appointed be not already a Bishop his consecration is subject to the provisions of Canon IV of Chapter IX, namely that before he can be consecrated he must have been ordained Priest, and must also have attained the age of thirty years.

Canons VIII and IX. Exceptional cases.

Canon VIII.—Nothing in these Canons or Rules shall prevent the Church of India, Burma and Ceylon from consenting through the General Council to an arrangement being made whereby if the Government of India should desire wholly or partly to maintain a Bishop or Bishops for the supervision of its Chaplains, the appointment of such a Bishop or Bishops should be varied from the methods laid down in these Canons and Rules in such a way as to give the Government a voice in the election.

Canon IX.—If any Church in communion with the Church of this Province shall desire to support and organise a Missionary Diocese in this Province, the General Council may consent to an arrangement being made with the supporting Church whereby the constituted authorities of the last-named Church may have a voice in the appointment of the Bishop of that Missionary Diocese, even if the method by which it will have such voice be at variance with Canon V and Rule 13 of this Chapter, provided that the manner of appointment prescribed or allowed in the arrangement shall not be used after the said Missionary Diocese has become a fully organised Diocese, but after that time the election or appointment of its Bishop shall be made in the manner prescribed for fully organised Dioceses in the Canons and Rules of this Chapter, provided also that nothing in such arrangement shall exempt such Bishop from the provisions of Chapter IX of these Canons and Rules in regard to the confirmation of his appointment and to the oaths and declarations to be taken by all Bishops of the Province.

Rule 1.—Every Diocesan Council shall determine either by provision in its constitution or by a resolution of the Council which of the methods named in Canon IV of this Chapter it will adopt, provided—

(*a*) that such resolution must have been passed before the occurrence of the vacancy of the See or the acceptance of the resignation of the Bishop, whichever event shall first occur, and

(*b*) that if on any occasion of vacancy of the See neither of these steps have been taken, the Council must for that occasion follow the third method named in Canon IV.

Rule 2.—If a Diocesan Council begin to elect a Bishop by either of the first two methods and fail (in the case of direct election, after two trials), the Bishop must then be appointed by the fifth method.

Rule 3.—The right of election of a Bishop shall pass from a Diocese to the Diocesan Bishops of the Province in the following cases, *viz.*:—

(1) If, when an election is to be made by either of the first two methods, the Metropolitan shall within *nine* months of the date of his mandate to elect neither receive from the Diocese a certificate of election (whether this happen through the failure of the Diocesan Council or the Electoral Body successfully to make an election, or from any other cause) nor be informed that the Diocese has remitted the election to a committee of Bishops of the Province.

(2) If, when an election is to be made by the third or fourth method, the Metropolitan shall within *nine* months of the date of his mandate to elect receive no voting papers from the Diocese as provided in the Rules of Appendices A. 3 and A. 4, or shall receive from the Diocese no certificate of election in the due form.

(3) If, when an appointment is to be made (whether in the first instance or otherwise) by a committee of Bishops of the Province, the Metropolitan shall within *nine* months

of the date of his mandate to elect receive from the Diocese no report of the Bishops who are appointed to act with him.

(4) If the Metropolitan shall at any time after the occurrence of the vacancy of the See receive from an authoritative person or body in the Diocese information that the Diocese for some reason cannot or has refused to elect a Bishop by any of the four methods.

Rule 4.—As soon as possible after receiving notice of the vacancy of a See or accepting the resignation of its Bishop, the Metropolitan shall, unless there is a Coadjutor Bishop with the right of succession to the See, and unless action be taken under Rule 9 below, forward his mandate for the election of a Bishop (*see Appendix C. 1*) to the Vice-Chairman of the Diocesan Council or if there be no Vice-Chairman, to some other person, being a clergyman in Priests' Orders and a member of the Diocesan Council, directing him to summon the Diocesan Council or the Electoral Body if the election shall have been committed to it, to meet on a day not earlier than two months and not later than six months after the date of the Metropolitan's mandate: and the person to whom the mandate is addressed shall immediately on receipt thereof summon the Diocesan Council or the Electoral Body (as the case may be), and he shall inform the Metropolitan of the date, place and hour for which the Diocesan Council or the Electoral Body has been summoned.

Rule 5.—In the case of the resignation of a Bishop, an election may be held before the actual vacancy of the See, but only after official notice of the acceptance of the resignation by the Metropolitan has been received in the Diocese.

Rule 6.—The Bishop who is vacating the See may not make any nomination for the election, or take any part in the proceedings of the Diocesan Council or the Electoral Body.

Rule 7.—The direct election of a Bishop shall be made according to the Rules given in Appendix A. 1 to these Canons and Rules; the election by an Electoral Body, according to those given in Appendix A. 2; and the election of persons out of whom a committee of Bishops shall appoint a Bishop, according to those given in Appendices A. 3 and A. 4.

Rule 8.—If the appointment of a Bishop for a Diocese is to be made (whether in the first instance or otherwise) by a committee of Bishops of the Province appointed by the Diocesan Council, the Council shall elect in such manner as it may desire a panel of two or more Bishops of the Province, of whom the first two that shall be found able and willing to act may together with the Metropolitan appoint a Bishop for the Diocese. The Chairman of the Diocesan Council shall then endeavour to secure the consent to act of two of those Bishops, writing to them in order until two have accepted or the panel be exhausted, and, if any two consent to act, he shall report their names to the Metropolitan, who shall with them proceed to appoint a Bishop for the Diocese.

Similarly, if an Electoral Body fail to make an election, it shall elect a panel of Bishops, and its Chairman shall endeavour to secure the consent to act of two of those Bishops.

Rule 9.—If a Diocesan Council shall have determined in accordance with Rule 1 of this Chapter that it will adopt the fifth method named in Canon IV, it may elect the panel of Bishops referred to in Rule 8 at a session of the Council held before the occurrence of the vacancy of the See or the resignation of the Bishop; and if it has done so, and has given notice thereof to the Metropolitan, the provisions of Rule 4 shall be applied in the following manner, *viz.*, that the Metropolitan shall send a mandate to the Vice-Chairman of the Diocesan Council, or if there be no Vice-Chairman, to the Secretary thereof, directing him to take due action to secure the consent to act of two Bishops out of the panel that has been elected by the Council and to report their names to him. The Vice-Chairman or Secretary, as the case may be, shall thereupon act as is prescribed to the Chairman in Rule 8, and the Metropolitan, on receiving his report of two names, shall with them proceed to appoint a Bishop for the Diocese.

Rules 10 to 13. Election by the Diocesan Bishops.

Rule 10.—The Diocesan Bishops of the Province may, if they think fit, on the occasion of any ordinary session of the General Council appoint an Electoral Committee from among their own number, to whom the Metropolitan may under Rule 11 below refer the election of a Bishop for a Diocese. Any such Electoral Committee shall be appointed to continue until the next ordinary session of the General Council.

Rule 11.—When the election of a Bishop for any Diocese passes, under Rule 3 of this Chapter to the Diocesan Bishops of the Province, if a meeting either of the House of Bishops or of the Episcopal Synod is to be held within three months of the date when the election so passed, the Metropolitan shall call upon the Diocesan Bishops to make the election when they are assembled for that meeting.

Rule 12.—If no meeting of the House of Bishops or of the Episcopal Synod is to be held within three months, and an Electoral Committee shall have been appointed under Rule 9, the Metropolitan may summon such Electoral Committee to make the election if he consider that such procedure can be followed without detriment to the interests of the Church; but otherwise he shall summon all the Diocesan Bishops of the Province to make the election.

Rule 13.—When the Diocesan Bishops of the Province meet to elect a Bishop for a Diocese, the quorum shall be the same as the quorum required for a meeting of the House of Bishops.

The quorum necessary for a meeting of the Electoral Committee of the Diocesan Bishops shall be three Bishops, including the Metropolitan or the Acting Metropolitan or the Bishop deputed by either of them (as the case may be) to preside over the Electoral Committee in his stead.

Rules 14 to 16. Appointment of Bishops in Missionary Dioceses.

Rule 14.—On the vacancy of the See in a Missionary Diocese, a new Bishop shall be appointed by the Metropolitan, who shall summon to advise him on the appointment a Committee constituted as follows:—

(*a*) Two Bishops of the Province nominated by himself shall always be members of the Committee.

(*b*) If the work of the Missionary Diocese be supported by one or more Missionary Societies of any Church which is in communion with the Church of this Province, two delegates may be nominated by each such Missionary Society, and, if so nominated, shall be members of the Committee.

(*c*) If there be any organised Council representative of the clergy and laity of the Church in the Missionary Diocese, and the Metropolitan think fit to direct them to elect two clergymen and two laymen to be members of the Committee, the two clergymen and two laymen whom they elect shall be members of the Committee.

(*d*) If under Canon IX of this Chapter a Missionary Diocese be supported and organised by a Church in communion with the Church of this Province, and it be part of the arrangement made under Canon IX that that Church shall appoint delegates to the Metropolitan's Advisory Committee for the selection of a Bishop, then those delegates so appointed shall be members of this Committee.

Rule 15.—If the stipend of the Bishop is provided by one or more Missionary Societies, the Metropolitan shall before announcing his selection, ascertain whether the society or societies in question be willing to continue its or their contribution or contributions if the person selected by the Metropolitan is appointed Bishop, and if they are not willing so to do, he shall take such action as seems to him best, but he shall not proceed to submit any name to the Episcopal Synod for confirmation, till satisfactory financial arrangements have been made for the future Bishop.

Rule 16.—The General Council may in pursuance of the arrangement referred to in Canon IX of this Chapter empower the Metropolitan to decide with the concurrence of the constituted authorities of the supporting Church in what manner those authorities shall have a voice in the selection and appointment of the Bishop of the supported Missionary Diocese. The method adopted for the selection and appointment of such Bishop on the first occasion on which the arrangement was acted upon shall, subject to any modifications which may be made by mutual consent of the General Council (or the Metropolitan, if so empowered by the General Council) and the said constituted authorities of the supporting Church, be used in all subsequent appointments until the aforesaid Missionary Diocese become a fully organised Diocese.

Rules 17 to 19. Appointment of Coadjutor and Assistant Bishops.

Rule 17.—Subject to the restriction imposed by Canon VIII of Chapter VII and after the provisions of Canon IX of that Chapter have been complied with, the Canons and Rules which govern the election or the appointment of a Diocesan Bishop shall, *mutatis mutandis*, govern the election or appointment of a Coadjutor Bishop with right of succession, but shall be taken with the following special alterations, that is to say:—

(*a*) In Rule 1 of this Chapter—

A Diocesan Council must have determined which of the methods given in Canon IV of this Chapter it will adopt before the General Council has given its assent to the appointment of a Coadjutor Bishop in the Diocese.

(*b*) In Rules 3 and 4 of this Chapter—

For the period of nine months shall be substituted the period of fifteen months, and for the period of six months shall be substituted the period of twelve months.

(*c*) In Rule 4 of this Chapter—

When the General Council has given its assent to the appointment of a Coadjutor Bishop in a Diocese, the Metropolitan shall forward his mandate for the election of such Coadjutor Bishop to the Bishop of the Diocese, who shall then take all action which under the Rules of this Chapter and of the Appendices the convener of the Diocesan Council or of the Electoral Body is directed to take.

(*d*) In Rule 6 of this Chapter and Rule 8 of Appendix A. 1 and Rule 9 of Appendix A. 3—

The Bishop of the Diocese may if he so desire make nominations for the election of a Coadjutor Bishop, and may, notwithstanding the provisions of Rule 8 of Appendix A. 1 and Rule 9 of Appendix A. 3, preside at the session of the Diocesan Council or the Electoral Body held for the election, but if he do so, he may not either as Bishop or as Chairman veto any nomination or resolution which is admissible under the Rules of this Chapter and the Appendices, and further he may record his vote in the ballots, and his vote shall be counted with those of the House of Clergy.

(*e*) In Rule 8 of this Chapter and Rule 30 of Appendix A. 3 and Rule 24 of Appendix A. 4—

If the appointment of a Coadjutor Bishop for a Diocese is to be made by a committee consisting of the Metropolitan and two other Bishops of the Province, the Diocesan Bishop to whom the Coadjutor is appointed shall be added to that committee as a fourth member, and the Metropolitan shall have a casting vote in addition to his original vote.

(*f*) In Rule 1 of Appendix A. 2—

Save in the cases mentioned in that Rule, an Electoral Body for the election of a Coadjutor Bishop must be appointed before the General Council has given its assent to the appointment of a Coadjutor Bishop in the Diocese.

Rule 18.—If in a Missionary Diocese a Coadjutor Bishop is to be appointed, the Diocesan Bishop shall be an additional member of the Metropolitan's Advisory Committee described in Rule 14 of this Chapter.

Rule 19.—After the provisions of Chapter VII, Canon XI have been complied with, the Diocesan Bishop in whose Diocese the appointment of an Assistant Bishop has been sanctioned shall make the appointment, subject only to the consent of the Metropolitan.

Chapter IX.

OF THE CONFIRMATION, CONSECRATION AND ENTHRONEMENT OF BISHOPS AND METROPOLITANS.

Canon I.—By ancient custom of the Church no man can become a Bishop in a Province unless his election or appointment has been confirmed by the conprovincial Bishops, since they are responsible for his consecration. No appointment or election of any person to be a Bishop of the Church of India, Burma and Ceylon shall be of force till it be confirmed by the Episcopal Synod.

Canon II.—Before confirming the election of a person to be a Bishop of this Church, the Bishops of the Episcopal Synod are bound to satisfy themselves that the person elected or appointed is fit in respect of character, conduct and teaching to be consecrated or exercise the functions of a Bishop, and also that any objection which may have been brought against the election or appointment on the ground of invalidity or informality has been considered by the Committee of Reference and disallowed by them, or in accordance with their findings overruled by the Metropolitan.

Canon III.—On the completion of the proceedings of the confirmation by the Bishops of the Episcopal Synod of the election or appointment of a person to be Bishop in this Province, an instrument (hereinafter called the instrument of confirmation) recording that confirmation shall be executed and shall be signed either by all the Bishops who took part in the confirmation or by not fewer than two Bishops authorised by those Bishops to sign the instrument on their behalf. (*See Appendix C. 5.*)

Canon IV.—No person may be consecrated unless he has been ordained priest and also attained the age of thirty years.

Canon V.—Every person elected or appointed to be a Bishop in this Province who is not at the time a Bishop shall before his consecration take the oath of canonical obedience to the Metropolitan, and make the declaration required of a Bishop in Chapter III, Canon I and the declaration against simony (*see Appendix C. 6*); and every person so elected or appointed who is at the time already a Bishop shall before his enthronement in the presence of the Metropolitan or some other person in communion with this Church deputed by the Metropolitan take the oath of canonical obedience to the Metropolitan and make the two above-named declarations.

Every person elected to be Metropolitan, shall, if he be not already a Bishop, make the two above-mentioned declarations before his consecration, or, if he be already at the time of his election a Bishop, before his enthronement, in the presence of the acting Metropolitan or some other person in communion with this Church deputed by him, or if the Metropolitan-elect be himself the Acting Metropolitan, before some Bishop deputed by the House of Bishops.

Canon VI.—Three Bishops at least must take part in every consecration.

Canon VII.—The Metropolitan shall, as provided in Chapter VII, Canon V, take the principal part in every consecration service, or depute some other Bishop to take that part.

Canon VIII.—All the Bishops who have taken part in a consecration shall sign a formal act recording the consecration, which shall be preserved in the Metropolitan's office. (*See Appendix C. 7.*)

Canon IX.—The instrument of confirmation shall be publicly read at every consecration before the Metropolitan or other Bishop who takes the principal part therein proceeds to consecrate the person presented to him for consecration.

Canon X.—At the enthronement of every Bishop the instrument of confirmation shall be publicly read, and also, if he were not a Bishop when he was elected or appointed to the See, the act of consecration. Further, at the enthronement he shall make before the people the declaration concerning the Faith and Order of the Church prescribed in Chapter III, Canon I (*b*).

Canon XI.—A person elected or appointed to be a Diocesan Bishop or to be Metropolitan will become Bishop of his Diocese or Metropolitan as the case may be, so soon as his election or appointment has been confirmed and he has been consecrated, or, if he be already a Bishop, so soon as his election or appointment has been confirmed, and his resignation of his former charge has been accepted and has become operative in accordance with the provisions of Chapter XII.

But if a Bishop of another Church in communion with the Church of this Province be elected or appointed Bishop of a See in this Province a special arrangement may be made between the Metropolitan and the ecclesiastical superior of the said Bishop in regard to the date when the said Bishop shall become the Bishop of his new See, provided that before such date both his election or appointment shall have been confirmed and he shall have taken the oath and made the declarations required of a Bishop in Chapter III, Canon I.

Canon XII.—A person elected or appointed to be a Diocesan Bishop or to be Metropolitan will be entitled to take his seat as a member of the Episcopal Synod or of the General Council on presenting to the Metropolitan, or other President of either body as the case may be, at a meeting of the Synod or the Council the instrument of confirmation of his election or appointment together with the act of his consecration, or, if he shall have been consecrated outside this Province, a corresponding document from the Province in which he was consecrated.

Canon XIII.—A Bishop or Metropolitan shall have the right to the temporalities of his See, including the salary thereto attached, so soon as he shall have been enthroned but not earlier.

Rules 1 to 12. Confirmation of Bishops.

Rule 1.—Except as hereinafter provided there shall be a meeting of the Episcopal Synod to confirm every election or appointment.

Rule 2.—The Bishops of the Episcopal Synod in considering whether the person elected or appointed is fit in respect of character, conduct and teaching to be consecrated or exercise the functions of a Bishop shall not take into consideration such other questions as whether he is the most suitable person to be entrusted with the particular episcopal charge for which he has been elected or appointed.

Rule 3.—As soon as the Metropolitan has been informed of the election or appointment of a person to the office of Bishop in the Province and also of that person's willingness to accept that office, the Metropolitan shall inform every Bishop of the Episcopal Synod by letter of the election or appointment and ask him whether, apart from any objection to it as having been invalid, irregular or informal, he is willing to confirm it, requesting him to reply within 21 days of the date of the Metropolitan's letter. He shall also take steps to secure that public notice of the election or appointment is immediately given in the Diocese for which it has been made, both in the public press and otherwise.

Rule 4.—The Metropolitan shall take action upon any objections to the confirmation of the election or appointment which may be made to him in writing, provided that they reach him within 21 days of the publication thereof which he has made under the last preceding Rule, but no objection lodged after the expiry of this period shall have any claim to be considered.

Rule 5.—If any objection be made alleging invalidity, irregularity or informality in the election or appointment, it shall be referred by the Metropolitan on the expiry of the 21 days to the Committee of Reference, which shall report to the Metropolitan its finding on the alleged facts and on the validity of the election or appointment.

If that Committee shall disallow the objection, and report that they find the election or appointment to have been valid, the Metropolitan shall declare the election or appointment to be good.

If the Committee shall declare that the objection rests on an irregularity or informality which is a matter of form and not of substance, or which, though of substance, did not in the opinion of the Committee affect the result of the election or appointment, the Metropolitan shall have power to overrule the objection and to declare the election or appointment to be good in spite of such irregularity or informality.

If the Committee shall uphold the objection and report that in their opinion the election or appointment has been invalidated by some act done or omitted by the person elected or appointed or by others concerned in the election, the Metropolitan shall declare the election or appointment to be null and void, and order a fresh election or appointment to be made.

Rule 6.—The Metropolitan shall communicate the findings of the Committee of Reference to all the Bishops of the Episcopal Synod and the Episcopal Synod shall not sit to consider any other objection to the election until they have been informed either that no objection on the ground of invalidity, irregularity or informality has been raised against the election or appointment, or that such objection having been raised has been disallowed or overruled.

Rule 7.—Any objection made with reference to the character, conduct or teaching of the person elected or appointed, unless it be contained in the reply by one of the Bishops of the Episcopal Synod to the Metropolitan's enquiry under Rule 3 of this Chapter, must be signed by at least three communicant members of the Church of this Province.

Rule 8.—If the Metropolitan shall under Rule 7 of this Chapter have received any objection which appears to him *prima facie* to be frivolous and vexatious or trivial and insufficient, he shall be at liberty to take the advice of two other persons of weight and experience, who may at his request make such enquiry as shall seem necessary, and if the Metropolitan and these his advisers shall agree that the objection is frivolous and vexatious, or trivial and insufficient, he shall report to the Bishops of the Episcopal Synod that he has set aside that objection on those grounds.

Rule 9.—If the Metropolitan shall under Rule 7 of this Chapter have received any objection which he has not set aside under the last preceding Rule, he shall communicate the objection to the Bishops of the Episcopal Synod, and shall summon them to meet on a day not later than four weeks after the issue of his summons. The proceedings at their meeting shall be *in camera*, and the Metropolitan shall first put to the Bishops the issue, whether, if the matter alleged against the Bishop-elect or designate were true, it would constitute just ground for refusing to consecrate him. If the Bishops or a majority of those present decide this issue in the negative, they shall close the enquiry, and proceed to the confirmation of the election or appointment, and shall execute the instrument of confirmation. If the Bishops or a majority of those present decide the above-mentioned issue in the affirmative, then they shall enquire whether the matter alleged in the objection is true, and the Bishop-elect or designate must be given an opportunity to submit to the Bishops his reply to the objection, either in writing or in person or in both ways as he shall choose, before the Bishops determine the matter. If having heard the replies of the Bishop-elect or designate to the objection, the Bishops disallow the objection, they shall proceed to confirm the election or appointment and to execute the instrument of confirmation. If on the other hand the Bishops uphold the objection and refuse to confirm the election or appointment on the ground of the character, conduct or teaching of the Bishop-elect or designate, the Metropolitan shall order a new election or appointment to be made, and the person who has been refused consecration shall not be nominated or considered for that election or appointment.

Rule 10.—If the Metropolitan having duly notified the Bishops of the Episcopal Synod in accordance with Rule 3 of this Chapter, has received from a majority of them letters expressing their willingness to confirm the election or appointment, and from no Bishop any objection to such election or appointment being confirmed, and if he have received no objections from any other persons which require the consideration of the Bishops, then it shall suffice, if the person elected or appointed is not yet a Bishop, that the Bishops who are to be consecrators should meet not later than on the day previous to the consecration. They shall then execute the instrument of confirmation as provided in Canon III of this Chapter. If the person elected or appointed be already a Bishop in this Province or in some Church in communion therewith, it shall suffice that the Metropolitan, having received from a majority of the Bishops letters expressing willingness that the election or appointment should be confirmed and authorising the execution of the instrument of confirmation on their behalf, and having received no objection to the confirmation, should together with one other Bishop execute the instrument of confirmation on behalf of the Bishops of the Episcopal Synod.

Rule 11.—When the instrument of confirmation has been executed the Metropolitan shall at once notify the person whose election or appointment has been confirmed, by sending him a copy of the said instrument.

Rule 12.—The issue of an instrument of confirmation in respect of an election or appointment of a Bishop shall be deemed conclusive evidence that every step in such election or appointment prior to confirmation has been duly and properly taken.

Rules 13 to 15. Confirmation of Metropolitan.

Rule 13.—If it be the Metropolital See to which a person has been elected, the Acting Metropolitan or (if the Acting Metropolitan be himself the Metropolitan-elect) the Chairman of the House of Bishops who was presiding in the final stage of the election, shall do all such things in reference to the confirmation of the election, as in the preceding Rules of this Chapter the Metropolitan is ordered to do in reference to the confirmation of the election or appointment of any other Bishop.

Rule 14.—After the termination of the proceedings for the election of a Metropolitan the Bishops present may, if they think fit, sit as the Episcopal Synod and pass a resolution empowering the Acting Metropolitan, or (if the Acting Metropolitan be himself the Metropolitan-elect) the Chairman of the House of Bishops who was presiding in the final stage of the election, to execute together with one other Bishop on their behalf the instrument of confirmation if no objections against the election shall have been made to it within the period limited for objections by these Rules, and if a majority of the Bishops shall in writing have sent to the Acting Metropolitan, or Chairman of the House of Bishops (as the case may be), a notification of their willingness to confirm the election.

Rule 15.—When the instrument of confirmation of the election of a Metropolitan has been executed, the Acting Metropolitan or the Chairman of the House of Bishops (as the case may be) shall at once notify the Metropolitan-elect, by sending him a copy of the said instrument.

Promulgation of confirmation of Bishop or Metropolitan.

Rule 16.—As soon as the instrument of confirmation has been executed the Metropolitan (or Acting Metropolitan) shall send notice of the confirmation, in the case of a Diocesan Bishop to the senior Archdeacon of the Diocese or to the senior clergyman connected with the Cathedral Church, and in the case of a Coadjutor or Assistant Bishop, to the Bishop of the Diocese, and in the case of the Metropolitan to the Archdeacon of Calcutta, and the person who shall receive such notice shall cause a solemn announcement to be made of the election or appointment, and of the confirmation of the Bishop (or Metropolitan) in the Cathedral Church of the Diocese, during the service of Holy Communion, after the Nicene Creed, on the Sunday next following his receipt of the said notice.

Rules 17 to 20. Consecration of Bishops.

Rule 17.—When in accordance with the preceding Rules a person has been elected or appointed Bishop (or Metropolitan) and his election or appointment has been confirmed, if he be not already a Bishop, the Metropolitan (or Acting Metropolitan) shall arrange for his consecration to take place as soon as possible and within one month of his confirmation, unless the Bishop elect or designate (or the Metropolitan-elect) shall not be in the Province at the time of his confirmation, or unless the Metropolitan (or Acting Metropolitan) shall for any other special reason see fit to postpone the consecration.

Rule 18.—The Metropolitan (or Acting Metropolitan) shall summon all the Bishops of the Province to take part in the consecration.

Rule 19.—The consecration shall be held on a Sunday or Holy Day and the Form of Consecration shall be that contained in the Ordinal attached to the Book of Common Prayer of this Province.

Rule 20.—The Metropolitan shall keep a Register of Consecrations, in which every consecration done in the Province shall be recorded and the record shall include the full name of the person consecrated together with the date and place of his consecration and the names of the Bishops who took part in it, and each entry shall be attested by the Metropolitan or Acting Metropolitan with his own hand.

Rules 21 to 24. Enthronement of Bishops.

Rule 21.—A Diocesan Bishop-elect or designate or a Metropolitan-elect shall be enthroned as soon as possible after he has been consecrated, or, if he were already a Bishop at the time of his election or appointment, as soon as possible after that election or appointment has been confirmed, or, if he be a Coadjutor Bishop, as soon as possible after the voidance of the See concerned.

Rule 22.—The enthronement of a Diocesan Bishop or of a Metropolitan shall be performed by the senior Archdeacon of his Diocese present at the time in the Diocese, or, failing such Archdeacon, by some senior Clergyman chosen for that duty by the Standing Committee of the Diocesan Council.

Subject to the provisions of Canon X of this Chapter, the enthronement shall be performed according to the custom hitherto prevailing in the Province, until the Church of the Province shall otherwise determine.

Rule 23.—The installation of a Coadjutor or Assistant Bishop shall be performed by the Bishop of the Diocese, or in case of infirmity or sickness, by some person deputed by him.

Rule 24.—The person who shall perform the enthronement shall immediately after the enthronement sign a document in triplicate reporting the enthronement which shall be attested by two other persons present thereat (*see Appendix C. 8*) and send one copy to the Metropolitan and the other copies to the Treasurer of the Diocesan Council and the Registrar of the Diocese: and a similar document shall after the enthronement of a Metropolitan be signed in triplicate by the person who conducted the enthronement and similarly attested, and one copy of this document shall be deposited in the Metropolitan's office and the second sent to the Treasurer of the Calcutta Diocesan Council and the third to the Treasurer of the General Council.

Chapter X.

OF RESIDENCE OF BISHOPS.

Canon I.—Every Bishop appointed to the charge of a Diocese or to a charge in a Diocese shall reside within that Diocese except during reasonable holidays or when on grounds of ill-health or other important considerations a temporary absence is desirable. Of all questions concerning the absence of a Bishop from his Diocese either the Metropolitan or the Metropolitan together with other Bishop or Bishops as the Rules may prescribe, shall be the judges. Unjustifiable non-residence in spite of remonstrances by the Metropolitan in the case of a Diocesan Bishop or by the Diocesan Bishop in the case of a Coadjutor or Assistant Bishop shall be a ground for proceedings against a Bishop in the Court of the Episcopal Synod.

Canon II.—If a Diocesan Bishop shall permanently depart from his Diocese, the Metropolitan, having (either on his own motion or on report from the Standing Committee of the Diocesan Council) ascertained that this is the fact, shall send notice to him that on a date three months later than the date of his notice he intends to declare the See vacant, unless by that date he shall have received from him a demand to be heard by the Court of the Episcopal Synod on some issue of fact related to his absence from his Diocese. If the Metropolitan receive such a demand, he shall arrange for such hearing, and shall declare the See vacant only if and when the Court has decided that the Bishop has in fact permanently departed from his Diocese. If the Metropolitan does not receive such a demand, he shall declare the See vacant at the date specified in his notice.

Rule 1.—It shall be deemed reasonable that a Bishop should at his own discretion absent himself from his Diocese for a period or periods amounting to not more than two months in all in any calendar year.

Rule 2.—No Diocesan Bishop shall absent himself from his Diocese, except for duty, for a longer period than two months in any one calendar year or than two consecutive months at any time without the consent of the Metropolitan, nor the Metropolitan from the Province without the consent of two Bishops of the Province.

This Rule shall apply to Coadjutor and Assistant Bishops, except that a Coadjutor or Assistant Bishop must obtain the consent of the Diocesan Bishop in addition to that of the Metropolitan, unless in the opinion of the Metropolitan the Diocesan Bishop is either incapable of giving such leave or has unreasonably withheld it.

Rule 3.—No Diocesan Bishop shall be absent from the Province for more than two months without appointing, under his hand and seal, a Commissary with authority to administer the spiritualities of the Diocese and to maintain discipline according to the Canons and Rules of the Church of this Province. If any Diocesan Bishop shall be absent from the Province more than eight months, he shall be bound to make due provision for confirmations and ordinations in his Diocese.

Rule 4.—In the event of any Diocesan or Coadjutor Bishop being absent from his Diocese for more than two months without the consent required by these Rules, it shall be competent for the Metropolitan to give him three months' notice in writing to return to his Diocese; and should the notice be disregarded, the Metropolitan may proceed against him in the Court of the Episcopal Synod.

In the event of an Assistant Bishop being absent from his Diocese for more than two months without the consent required by these Rules, it shall be competent for the Diocesan Bishop either to withdraw his commission or to proceed against him in the Court of the Episcopal Synod.

Rule 5.—A Diocesan Bishop shall be deemed to have permanently departed from his Diocese if he be absent from the Diocese for more than eighteen consecutive months, unless the Metropolitan shall have consented to a longer absence; provided that in no case may the Metropolitan consent to an absence of more than twenty-four consecutive months.

Rule 6.—The functions assigned to the Metropolitan in these rules shall, in the event of the Metropolitan coming under the operation of their provisions, be exercised by the Vice-President of the General Council.

Chapter XI.

OF COMMISSARIES OF DIOCESAN BISHOPS.

Canon I.—A Diocesan Bishop may appoint a Commissary either under a general commission to act for him in the Diocese so far as he may be canonically able to do so during the Bishop's absence from his Diocese or incapacity to discharge his duties as Bishop, or under a special commission to perform on his behalf either in the Diocese or elsewhere some particular duty named and described in the commission. The general commission will terminate either if the Bishop who granted it shall revoke it or if the said Bishop shall cease to be Bishop of that Diocese. The special commission will terminate as soon as the duty for the performance of which it was granted is completed or if it be revoked or if the Bishop who granted it cease to be Bishop of the Diocese.

Canon II.—Whenever the Metropolitan is unable through absence from the Province or physical or other disability to perform all his functions as Metropolitan, he shall appoint under his hand and seal some Diocesan Bishop to act for him as Vicar Provincial in reference to his jurisdiction as Metropolitan, or as Commissary Provincial in reference to certain parts of that jurisdiction. (*See Appendix C. 10.*)

Provided that if the Metropolitan shall be absent from the Province without having appointed a Vicar Provincial, and it shall seem to a majority of the Bishops that the appointment of a Vicar Provincial has become necessary, they may appoint one of their number to act as such Vicar Provincial during the Metropolitan's absence from the Province; and provided further, that if in the opinion of a majority of the Bishops the Metropolitan shall have become physically or mentally unfit to discharge all the functions of Metropolitan, and if on being requested by the Bishops to state reasons why he should not appoint a Vicar Provincial, he shall either refuse or fail to do so or if the Bishops having heard the Metropolitan's reasons against such appointment consider them inadequate, then the Bishops may appoint one of their number to act as Vicar Provincial, pending the decision of proceedings under Chapter XII.

Canon III.—The Vicar Provincial or Commissary Provincial of the Metropolitan shall not in virtue of that appointment act as Commissary of the Bishop of Calcutta, but it shall be open to the Bishop of Calcutta to appoint the Vicar Provincial or Commissary Provincial to act as Commissary in the Diocese of Calcutta if there be no such Commissary already appointed therein.

Rule 1.—The appointment of a Commissary of a Diocesan Bishop shall be made in the form provided in Appendix C. 9, and the Commissary, unless he be appointed for some duty outside the Diocese, shall be either a priest resident within the Diocese or a Bishop of the Church of this Province.

Rule 2.—A Diocesan Bishop cannot by commission given under Canon I of this Chapter—

(*a*) delegate to the Commissary any powers which he himself may have to dispense with or modify requirements of the Canons and Rules of this Church, or

(*b*) authorise or permit the Commissary to order or sanction alterations or additions in the Services of the Church, or

(*c*) authorise the Commissary to represent him in the Episcopal Synod or the General Council or any Committee, Commission or Board of the General Council, except that he may give to a Coadjutor or Assistant Bishop, if either shall have been elected or appointed in his Diocese, a commission to sit in his place as a member of the Episcopal Synod or of the House of Bishops for a named session of the Episcopal Synod or of the General Council or of the House of Bishops.

Rule 3.—If in the absence of the Bishop from any Diocese any case of urgency should arise for which the commission given to the Commissary does not, or under Rule 2 (*a*) or (*b*) of this Chapter cannot provide, the Metropolitan may on application from the Commissary empower him to deal with the matter in any way in which the Bishop of the Diocese himself if present would have been competent to deal with it.

Rule 4.—If any case of urgency should arise when a Bishop is absent from his Diocese without having appointed a general Commissary, or being in the Diocese is for any reason unable to act, the Metropolitan may on application from the Standing Committee of the Diocesan Council appoint as special Commissary any person whom he may think fit, empowering him to deal with the matter in any way in which the Bishop of the Diocese himself if present or able to act would have been competent to deal with it, provided that unless the Metropolitan deem it necessary to appoint a Bishop as Commissary, he shall appoint a priest of that Diocese.

Rule 5.—A Diocesan Bishop in whose Diocese a Coadjutor Bishop has been appointed is not by such appointment prevented from granting a special commission under Canon I of this Chapter to a person other than the Coadjutor Bishop.

Rule 6.—In any case where a Bishop's power to delegate is disputed by any person whose interests are injuriously affected, an appeal shall lie at the instance of such person to the Court of the Episcopal Synod. Provided always that in cases where urgency is claimed, a certificate from the Registrar or standing legal adviser of the Bishop that in his opinion there is urgency and that the Commissary does possess the power to do the act in question, shall validate the act *ad interim.*

Chapter XII.

OF THE RESIGNATION OF BISHOPS.

Of Voluntary Resignations.

Canon I.—The resignation of a Bishop is of no effect until it has been accepted by the Metropolitan. The Metropolitan shall not have power finally to refuse to accept the resignation, but he may fix the date on which it will become operative, provided that such date be within a year from the date of the Bishop's letter of resignation.

Canons II to IV. Of Compulsory Resignations.

Canon II.—Where there seems to the Metropolitan good reason to believe that a Diocesan Bishop is mentally or physically incapable of duly discharging the duties of his office, it shall be competent for him to cause to be delivered to the Bishop concerned a notice in writing stating that there is reason to believe that he is incapable of duly discharging his duties, and offering him the opportunity either of resigning or of showing cause in person or in writing why the Episcopal Synod should not proceed to declare the See vacant.

In the event of his not answering or of his desiring to show cause, the Metropolitan shall nominate two Diocesan Bishops of the Province and shall give to the Bishop in question the right to nominate not more than two other Diocesan Bishops, and if no nomination is received within two months from the Bishop, or if he nominates only one Bishop, the Metropolitan shall nominate so many additional Bishops as shall make up the number of the Court to five including himself, and shall constitute and summon a Court of Enquiry thus composed.

If it shall seem to this Court or the majority of them (the Metropolitan having in case of equality a casting vote) after considering the circumstances of the case, and the representations (if any) made by or on behalf of the Bishop concerned, and such medical or other testimony as may be brought before them or they themselves call for, that the Bishop is incapable of the due discharge of his duties, the Metropolitan shall cause a statement of the evidence and of the decision to be drawn up and circulated to all the members of the Episcopal Synod and if a majority of them shall signify in writing their assent to the decision, the Metropolitan shall pronounce the See vacant.

Provided always that any Bishop whose See is so declared vacant shall be entitled to suitable provision for maintenance from the funds of the Church, unless suitable provision has been made from other sources.

Canon III.—If the Metropolitan, having decided to take action under Canon II of this Chapter, shall have reason to apprehend that the mental infirmity of a Bishop is of such a nature that it would be useless or dangerous or inexpedient to cause to be delivered to him a notice under that Canon, the Metropolitan shall consult such persons as he may think fit, including at least two registered medical practitioners, and if a majority of the persons thus consulted shall agree that it would be useless or dangerous or inexpedient that such notice should be delivered, the Metropolitan shall omit to cause such notice to be delivered to the Bishop concerned and shall also omit to invite him to nominate members of the Court of Enquiry, but shall otherwise proceed as directed in that Canon.

Canon IV.—If the Metropolitan himself be the Bishop whose physical or mental incapacity duly to discharge his duties is in question, the steps which Canon I of this Chapter authorises the Metropolitan to take in reference to any other Bishop shall, subject to the following conditions, be taken by the Vice-President of the General Council, that is to say the Vice-President may take such steps if three Diocesan Bishops of the Province, of whom he himself may be one, sign and send to him a document declaring that in their judgment such steps ought to be taken, and shall take such steps if a majority of the Episcopal Synod sign and send to him such a document.

Rule 1.—If a Bishop shall desire to resign his See or other episcopal charge, he shall send notice of that desire to the Metropolitan, naming the date as from which he wishes to resign, and the Metropolitan shall have liberty to make such representations to the Bishop as he may think fit either concerning his resignation or the proposed date thereof, and if after making such representations he be unable to turn the Bishop from his purpose, or if he decide that no further correspondence is necessary, he shall accept the resignation, but in case of disagreement between the Bishop and the Metropolitan concerning the date on which it shall become operative, it shall lie with the Metropolitan to fix the date, provided always that such date be within a year from the date on which the Bishop gave notice to the Metropolitan of his desire to resign.

Rule 2.—If the Metropolitan shall determine to resign his office, he shall notify to the Vice-President of the General Council the date on which his resignation will become operative.

Rule 3.—If a Diocesan Bishop of the Province be elected or appointed and confirmed as Bishop of another See or for another episcopal charge in this Province, he shall, so soon as he has received notice from the Metropolitan of the confirmation of his election or appointment, send to the Metropolitan his resignation of his former Bishopric, and the Metropolitan shall in his discretion appoint a date at which it shall become operative, provided that the interval between that date and the date of his confirmation shall not be longer than the amount of leave which is at the date of his confirmation due to him under the Rules from time to time in force with regard to the leave of Bishops.

Rule 4.—A Bishop elected to be Metropolitan shall send his resignation as provided in Rule 3 to the Bishop of the Province who is with the exception of the Metropolitan-elect senior by consecration, and the latter shall be empowered to act as the Metropolitan is empowered to act in Rule 3.

Rule 5.—If a Bishop of this Province be appointed to a See outside this Province, he shall on accepting the said See send his resignation to the Metropolitan, and the Metropolitan shall after consulting the said Bishop fix such date for the resignation to become operative as to the Metropolitan may seem fit.

Rule 6.—If a Coadjutor or Assistant Bishop shall wish to resign, he shall send his resignation under Rule 1 of this Chapter to the Metropolitan through his Diocesan Bishop, who shall have liberty to make such representation as he may think fit on the matter either to the Metropolitan or to the Bishop who desires to resign or to both.

Rule 7.—If a Coadjutor or Assistant Bishop be elected or appointed a Diocesan Bishop or Metropolitan, he shall send his resignation through his Diocesan Bishop to the Metropolitan or senior Bishop of the Province as provided in Rules 3 and 4, and the Metropolitan or senior Bishop shall act as in Rules 3 and 4 is prescribed, in consultation with the Diocesan Bishop under whom the Bishop-elect or designate has been working.

Chapter XIII.

OF VACANT BISHOPRICS.

Canon I.—A Bishop's See may become vacant in consequence of—

(*a*) the death of the Bishop,

(*b*) the resignation of the Bishop,

(*c*) the translation of the Bishop,

(*d*) a declaration of vacancy under Chapter XII,

(*e*) a sentence of deprivation under Chapter XLI,

(*f*) the permanent departure of the Bishop from his Diocese, as defined in Chapter X.

Canon II.—The date at which the See shall be deemed to be vacant in each of the above-mentioned cases is as follows:—

(*a*) the date of the Bishop's death,

(*b*) the date fixed by the Metropolitan when accepting the Bishop's resignation, as the date on which that resignation will take effect,

or in the case of the Metropolitan's resignation, the date so fixed by the Metropolitan himself,

(*c*) the date on which the Bishop's resignation is fixed by the Metropolitan to take effect, or the date of the enthronement of the Bishop in his new See, whichever shall be earlier,

or, in the case of the Metropolitan's translation, the date so fixed by the Metropolitan himself or his enthronement in his new See, whichever shall be earlier,

(*d*) the date fixed in the declaration of vacancy,

(*e*) the date fixed in the sentence of deprivation,

(*f*) the date of expiry of the eighteen months of absence (or of such longer period as may have been consented to by the Metropolitan) referred to in Chapter X.

Canon III.—Whenever any See of this Province shall be vacant, the charge and administration thereof devolves upon the Metropolitan, who shall either administer it in his own person, with or without the help of commissaries appointed by him, or shall appoint a Bishop to administer it as Vicar-General with full jurisdiction, including the power to appoint a local commissary or local commissaries, until a new Bishop be elected or appointed and become Bishop of the See under the provisions of Chapter IX, Canon XI. In the case of the Diocese of Colombo, the Commissary shall be an Archdeacon or a licensed priest of the Diocese.

Canon IV.—The personal emoluments of the Bishop of a vacant See shall become payable and shall be paid to the Metropolitan during the vacancy of the See, and up to the date of the enthronement of the new Bishop of the See and he shall apply them as may be provided by Rule.

Canon V.—The General Council shall at each ordinary session elect one of the Bishops to be Vice-President of the Council, and, whenever the Metropolitical See is vacant, the Vice-President shall exercise all functions appertaining to the Metropolitan, subject to the limitations stated in Chapter XLI, Rule 3.

Provided that if the Vice-President shall certify the senior (or as the case may be, next senior) Bishop of the Province that he is unable to act, or if in the two months following the occurrence of the vacancy of the See of Calcutta, he shall not have taken the steps which the Vice-President is directed in Appendix B, Rule 9, to take, then the Bishop senior (or, as the case may be, next senior), by consecration shall take those steps, and the Bishops at their next meeting shall determine which of them shall carry on the remaining duties of the Metropolitan.

Rule 1.—In the event of the vacancy of a See occurring by death, the late Bishop's Commissary in the Diocese, or if there be no Commissary at the time, the Archdeacon who is senior by the date of his appointment, or if there be no Archdeacon, the Secretary of the Diocesan Council shall at once inform the Metropolitan of the death of the Bishop.

Rule 2.—The death of the Metropolitan shall be notified to the Vice-President of the General Council in the manner provided in Rule 1 above for the notification of the death of a Diocesan Bishop.

Rule 3.—The Metropolitan shall defray from the personal emoluments of the Bishop of a vacant Diocese paid to him under Canon IV of this Chapter the following expenditure:—

(*a*) any expenses incurred by him or by his commissaries or by his Vicar-General solely by reason of his or their administration of the Diocese; and (*b*) such salaries or allowances as he may determine to make to his commissaries, provided that the total amount of such salaries or allowances paid during the whole period of vacancy of the See do not exceed one-third of the above-mentioned emoluments during that period.

Within three months of the enthronement of a new Bishop of the Diocese, the Metropolitan shall render an account of the monies paid to him by the Diocese under Canon IV of this Chapter, and shall refund the residue thereof to the financial authorities of the Diocese concerned.

Rule 4.—The residue of the monies paid to the Metropolitan by a Diocese under Canon IV of this Chapter and refunded by him to the Diocese concerned shall be the personal property of the succeeding Bishop.

Chapter XIV.

OF ARCHDEACONS.

Canon I.—It is the duty of an Archdeacon to assist the Bishop in the general oversight of the clergy and congregations in his archdeaconry, and particularly it is the custom of the Church that the Archdeacon should, where it is deemed desirable, so relieve the Bishop from the temporal duties of his office that he may devote himself to pastoral, evangelistic and other spiritual work: and to this end it is usual for the Archdeacon to supervise on behalf of the Bishop the temporalities and finances of his archdeaconry and the dealings of the Councils and clergy of the Diocese in these matters. It is an ancient custom of the Church that the Archdeacon should take part in the examination of candidates for Holy Orders and should present them to the Bishop at ordination.

Canon II.—The appointment of an Archdeacon shall be made by the Bishop of the Diocese after consultation with the Standing Committee of the Diocesan Council, and may be terminated by the Bishop for any cause which he in his absolute discretion thinks sufficient.

Canon III.—The Bishop may with the consent of his Diocesan Council constitute new archdeaconries and adjust the boundaries of those already constituted.

Rule 1.—The Archdeacon exercises under certain customary limitations* an ordinary jurisdiction (that is, a power of deciding matters by virtue of his office) over parishes, parish churches and cemeteries of his archdeaconry and shall visit his archdeaconry from time to time.

Rule 2.—The Archdeacon shall examine the parish registers, the lists of property owned by the Church in each parish, the fabrics of the churches and schools, the burial grounds, and other parochial property, and report thereon to the Bishop, taking order therein in urgent cases by virtue of his ordinary jurisdiction.

Rule 3.—If other arrangements be not made in the Diocese for the performance of this duty, the Archdeacon shall examine and report to the Bishop upon all plans for the building or restoration or alteration of churches and other buildings which are the property of the Church.

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* One such limitation by custom in this Province is laid down as a Rule in Chapter XXIII, Rule 2.

Rule 4.—It belongs to the customary functions of an Archdeacon to admit Churchwardens and Sidesmen to their offices, personally or by deputy, publicly in the time of Divine Service; and to convene the clergy and church officers of his archdeaconry to meet him in formal visitation, when he shall deliver to them an address or charge and shall afterwards preside over them in conference assembled, wherein matters shall be discussed for the peace and welfare of the Church, but no resolution which may be passed shall be deemed to have binding or coercive force.

Each Diocesan Council shall be free to determine whether an Archdeacon shall or shall not perform the functions mentioned in this Rule.

Rule 5.—The Archdeacon shall take part in examining and he, or in his absence one appointed by the Bishop in his stead, shall present all candidates for Holy Orders.

Rule 6.—Nothing contained in the Rules of this Chapter shall be construed so as to render the clergy liable to be tried for ecclesiastical offences by any Court other than those already recognised by the Canons and Rules of this Province.

Rule 7.—In Dioceses where there are no Archdeacons the Bishop and the Diocesan Council shall arrange for the performance of these duties by one or more of the clergy of the Diocese.

Rule 8.—In the Dioceses of Calcutta, Madras, Bombay, Lahore, Rangoon, Lucknow, and Nagpur, when a priest whose service is regulated by the Indian Church Statutory Rules, 1929, is to be made Archdeacon of any of these archdeaconries, his appointment under Canon II of this Chapter shall be in the form of a nomination to the Governor concerned, who by agreement under Statutory Rule 7 has the power to appoint him Archdeacon and to gazette the appointment. In these cases, his appointment may be terminated under Canon II of this Chapter only by agreement between the Bishop and the Governor concerned.

Chapter XV.

OF DIOCESAN REGISTRARS.

Canon I.—The Bishop of each Diocese shall appoint a communicant member of the Church of the Province to be Diocesan Registrar, and such Registrar shall have the custody of all important deeds and maintain and preserve all important records relating to property or persons in the Church.

Where in any Diocese, a Registrar has been appointed, who is paid by Government to carry out certain duties required by Law or the administrative orders of Government, the Bishop may, if he think fit, appoint a second Diocesan registrar to carry out such additional duties as are required by this Chapter.

Canon II.—The Bishop may with the consent of the Diocesan Council appoint a person learned in the law to be his standing legal adviser.

Rule 1.—The Bishop of each Diocese shall appoint the Registrar by a letter under his hand, and the Registrar shall hold office during the pleasure of the Bishop. In the event of a vacancy in the See, the Registrar shall hold office till a new Bishop is enthroned.

Rule 2.—The duties of the Registrar shall be the following:—(*a*) to receive and keep in safe custody all deeds of consecration and records of dedication of churches and burial grounds, and documents recording any conditions attaching to their use, and all titles of ecclesiastical property (or authenticated copies of the same if they shall have been deposited with the Diocesan Trustees), (*b*) to keep a record of all Letters of Orders and licences of the clergy of the Diocese, (*c*) to keep a record of all ordinations and of all appointments to the offices of Bishop, Archdeacon, Registrar and Clerk of the Diocesan Court, (*d*) to keep a record of all rights of patronage, (*e*) to keep the roll of the clergy instituted and licensed in the Diocese and to inform the Secretaries of the Diocesan Council of all changes in the said roll, (*f*) to prepare and, with the sanction of the Bishop of the Diocese, to issue all such faculties and licences as are issued under the hand and seal of the Bishop, and to keep an accurate register of all faculties and licences thus issued, (*g*) to maintain a Diocesan Register of all marriages, burials and baptisms of persons of European birth or descent or of mixed European and Indian descent which are performed in the Diocese by its clergy or by others acting on their behalf, (*h*) in Dioceses where such order is taken, to maintain a Diocesan Register of all marriages, burials and baptisms which are performed in the Diocese by its clergy or by others acting on their behalf, (*i*) when called on to do so, to issue certified copies of entries in any of the diocesan registers or other diocesan records under his charge, (*j*) unless other provision is made for the performance of this duty, to submit to the Secretary to the Local Government copies of quarterly returns of marriages as required by section 29 of the Indian Christian Marriage Act, 1872, and (*k*) to attend the Bishop at all visitations of the clergy and to inspect the licences of all the clergy present at such visitations.

Rule 3.—In order that the Registrar may be able to perform the duty assigned to him in Rule 2 (*a*) above, it shall be the duty of every parish priest, and of all other persons into whose custody any deeds of consecration and other documents mentioned in Rule 2 (*a*) above may come, to commit such deeds and other documents, or at least certified copies of the same, to the custody of the Registrar.

Rule 4.—In order to the due maintenance of the Register of marriages, burials and baptisms of persons of European birth or descent or of mixed European and Indian descent mentioned in Rule 2 (*g*) above, the Registrar shall at the beginning of every quarter call upon all parish priests in charge of European congregations and such other parish priests as he may think fit in the Diocese to send to him copies of the entries in the parochial registers relating to the marriages, burials and baptisms of persons of English domicile which have been performed in his parish during the last preceding quarter; and it shall be the duty of every such parish priest to send quarterly to the Registrar copies of such entries, and if he shall fail in this duty it shall be the duty of the Registrar to report the matter to the Archdeacon of the Diocese, or if there be no Archdeacon to that clergyman who shall have been appointed by the Bishop to inspect parochial registers or to the Bishop himself.

Rule 5.—Unless a Diocese shall have taken other order for the safe keeping of its registers, every parish priest shall deposit with the Registrar of the Diocese all registers of marriages, burials and baptisms which are not at the time in use, and the Registrar shall be responsible for their safe keeping.

Rule 6.—The Registrar may if qualified be also appointed by the Bishop to be his standing legal adviser.

Rule 7.—The Archdeacon shall be entitled to the assistance of the legal adviser of the Bishop in the preparation and conduct of disciplinary cases in the Bishop's Court.

Rule 8.—The Diocesan Council shall provide and shall from time to time fix the salary of the Registrar, and shall also determine from time to time the fees, if any, which the Registrar shall be entitled to receive for the issue of faculties, licences or certified copies of entries in any of the diocesan registers.

Chapter XVI.

OF THE ORDINATION, LICENSING AND WORK OF THE CLERGY.

Canon I.—The Church of India, Burma and Ceylon recognises different spheres in which Priests may exercise their functions, some of them being appointed to the care of souls in a particular place or district or parish, and having thus the continuous pastoral charge of the Christian people of that place as well as the duty of forwarding the evangelistic work of the Church, and others having no such particular local charge, but either having more general duties towards a group of parishes or being chiefly concerned with the conversion of those who do not know Christ or who have turned away from Him, or with building up the Church by study, teaching and writing.

Canon II.—It is competent to the proper authorities in each Diocese to make rules concerning the clergy, their ordination, appointment to charges and generally concerning their work within the Diocese, provided that such rules be not contrary to anything determined by the Provincial authority of the whole Province.

Canon III.—All diocesan rules relating to the clergy and their duties which are not inconsistent with anything contained in the Constitution, Canons or Rules remain in force until they shall have been changed by the proper diocesan authority or by a Canon or Rule enacted by the General Council.

Canon IV.—No person shall be admitted to Holy Orders unless he has been baptised and confirmed. No person shall be admitted to the diaconate until he has attained the age of twenty-three years, or to the priesthood until he has attained the age of twenty-four years; and no person shall have power to grant a faculty for the ordination in this Church of any person to the diaconate or the priesthood who has not attained the age by this Canon required.

Canon V.—No clergyman ordained in any Church in communion with the Church of this Province can claim as a right that he should receive a licence to work in any Diocese of this Province, nor can any clergyman ordained in one Diocese of this Province claim as a right that he should receive a licence to work in any other Diocese of the Province, nor is the Bishop of a Diocese compelled to give any reason for refusing to issue a licence to a clergyman ordained in another Diocese or outside the Province unless the clergyman is presented to a charge or to a staff of clergy under a system of patronage or appointment, formally accepted either by the Province or by the Diocese, which limits and defines the grounds on which the Bishop may refuse to grant a licence to a clergyman presented or nominated under it.

Rule 1.—Every candidate for ordination shall submit to the Bishop testimonials from at least three clergymen in Priests' Orders who have had personal knowledge of him for the three preceding years regarding his character and suitability for the holy office to which he seeks to be ordained.

The fact of his intending to present himself for ordination shall also be publicly announced during Divine Service upon a Sunday before the congregation of the parish in which he usually resides or usually worships by the parish priest or some other person delegated by him, so that if any objection to his ordination exists it may be made: and a certificate signed by the parish priest or other person who has made this announcement and two witnesses who were present at the time to the effect that this announcement has been thus published and no objection has been made must be forwarded to and received by the Bishop before the ordination can take place. (*For form of notice and certificate, see Appendix C. 11.*)

Rule 2.—The Bishop shall cause every candidate for ordination to be examined in such subjects as he may think fit.

Rule 3.—It is usually required that one full year shall elapse between admission to the diaconate and ordination to the priesthood, but the Bishop has full discretion to make this period longer or shorter.

Rule 4.—The Bishop shall require that every candidate shall produce a title to some charge in the Diocese, and this title shall have the force of a guarantee on the part of the person or persons by whom it is signed that work and salary shall be provided for the candidate for a space of two years. But the Bishop may accept from persons other than those who give the title a guarantee or undertaking for the provision of salary or maintenance for two years or a longer period, or from the person to be ordained a statement that he will make no claim on any authority of the Church for salary or maintenance, and in either of these cases there will be no claim against the giver of the title.

The Bishop may ordain a person with a view to some work which does not involve a definite local charge, provided that before he does so, that work must have been approved in principle by the Diocesan Synod and the Diocesan Council.

Rule 5.—Every clergyman shall immediately after his ordination receive from the Bishop letters of Orders and a licence to officiate in the Diocese in the forms prescribed in Appendix C. 12 and 13.

Rule 6.—If the Bishop admits any clergyman to work in the Diocese he shall issue a licence to him.

Rule 7.—The Bishop's licence to a clergyman to officiate in his Diocese may authorise him either to officiate in a particular parish, or generally to officiate in any part of the Diocese.

Rule 8.—No person shall be admitted to ordination or shall receive a licence until he has made the following oath and declarations as provided in Chapter III:

1. Oath of canonical obedience to the Bishop.
2. Declaration concerning matters of faith and the formularies of the Church.
3. Declaration of acceptance of the Constitution and obedience to the Canons and Rules of the Church of this Province.

Rule 9.—No clergyman, whatever form of licence he has received, may conduct any service or part of a service in any church or parish of which another clergyman is in charge without the invitation or consent of that clergyman or a specific instruction from the Bishop so to do.

Rule 10.—A deacon may solemnise Holy Matrimony on occasions when his parish priest is absent and has instructed him to act in his stead; but in reading the blessings to be given to the man and the woman he shall substitute the forms provided by the Episcopal Synod for those given in the Book of Common Prayer of the Province. He may read the Burial Service, and in the absence of his parish priest may baptise.

Rule 11.—Lay persons may read the Burial Service in the absence of an ordained minister, and in case of urgent necessity may baptise in any place other than a place of worship. If a person so baptised do live, he or she shall be brought into the church to be received by the parish priest in the presence of the congregation.

Rule 12.—Where there seems to the Bishop good reason to believe that a clergyman is mentally or physically incapable of duty discharging the duties of his office, it shall be competent for him to cause to be delivered to the clergyman concerned a notice in writing stating that there is reason to believe that he is incapable of duly discharging his duties, and offering him the opportunity either of resigning or of showing cause in person or in writing why the Bishop should not proceed to declare his charge vacant.

In the event of his not answering or of his desiring to show cause, the Bishop shall nominate two Canons of the Cathedral or two other senior clergymen of the Diocese and shall give to the clergyman in question the right to nominate not more than two other persons, being communicant members of the Diocese, and if no nomination is received within one month from the clergyman, or if he nominate only one person, the Bishop shall nominate so many additional persons, being communicant members of the Diocese, as shall make up the number of the Court to five including himself, and shall constitute and summon a Court of Enquiry thus composed.

If it shall seem to this Court or the majority of them (the Bishop having in the case of equality a casting vote) after considering the circumstances of the case, and the representations (if any) made by or on behalf of the clergyman concerned, and such medical or other testimony as may be brought before them or they themselves call for, that the clergyman is incapable of the due discharge of his duties, the Bishop shall require him to resign or if necessary shall declare his charge vacant,

provided always that any clergyman who is thus required to resign or whose charge is declared vacant shall be entitled to suitable provision for maintenance from the funds of the Diocese unless suitable provision has been made from other sources.

Rule 13.—If the Bishop, having decided to take action under Rule 12 of this Chapter, shall have reason to apprehend that the mental infirmity of a clergyman is of such a nature that it would be useless or dangerous or inexpedient to cause to be delivered to him a notice under that Rule, the Bishop shall consult such persons as he may think fit, including at least two registered medical practitioners, and if a majority of the persons thus consulted shall agree that it would be useless or dangerous or inexpedient that such notice should be delivered, the Bishop shall omit to cause such notice to be delivered to the clergyman concerned, and shall also omit to invite him to nominate members of the Court of Enquiry, but shall otherwise proceed as directed in that Rule.

Rule 14.—Every minister of a parish whether the parish priest or an assistant minister shall reside within the limits of his parish, provided that the Bishop may relax this rule for reasons which seem to him sufficient.

Rule 15.—No clergyman shall absent himself from his charge for two or more successive Sundays without providing a substitute approved by the Bishop, unless with special leave from the Bishop himself.

Rule 16.—If any clergyman shall be absent from his charge contrary to the diocesan rules, the Bishop shall summon him to return, and if he do not return within a reasonable time, he shall be subject to discipline on the ground of unjustifiable non-residence under the provisions of Chapter XXXIX.

Rule 17.—It is the duty of a clergyman to have ever in his mind the solemn promises made at his ordination; and in particular it is the duty of a priest, and, so far as his authority extends, of a deacon, to be diligent in baptising children and in baptising adults after reference to the Bishop or some person delegated by him, in visiting the congregation and especially the sick and the erring, in instructing the young and preparing and presenting candidates for confirmation, in preaching and teaching and in administering the discipline of the Church. He shall be diligent in the performing of public worship and in the administration of the Holy Communion, especially upon Sundays, according to the custom of the primitive Church, and upon the greater festivals. He shall use every endeavour to forward the evangelistic work of the Church, whether by participating in it himself or by leading, encouraging or assisting others to do it.

It is the duty of every clergyman unless reasonably hindered to read Morning and Evening Prayer in a form authorised for use in the Diocese to which he belongs every day either publicly or privately, not as a substitute for his private or family prayers nor as a substitute for his study of the Holy Scriptures, but as the offering of the daily prayers and praises of the Church which he is appointed to make, whether with or without the assistance of his flock, in union with his fellow clergy and those of the faithful who are able to join them. Furthermore, each clergyman should continually increase his knowledge and understanding of the Holy Scriptures by any studies for which he may have opportunity or ability, and by meditating upon them: provided that in particular cases the Bishop may, in place of the private reading of Morning or Evening Prayer, sanction such alternative rule or practice as he may approve.

The portion of Morning or Evening Prayer which the clergy are bound to say daily under this Rule ends with the third collect, and the Bishop may authorise any clergyman when saying these services privately to vary their forms with a view to finding forms more suitable for use in India, Burma and Ceylon.

The clergy are bound, when summoned, to attend a visitation of the Bishop, or a meeting of the Diocesan Council, unless they shall for sufficient cause have been excused by the Bishop.

Rule 18.—(*a*) A parish priest or other clergyman in charge of a church or congregation may permit another clergyman of the Church of this Province or of some Church in communion therewith, whom he knows to be blameless and not under any ecclesiastical censure, to conduct services or parts of services or to preach on not more than three separate or eight consecutive days in any one year without express sanction of the Bishop, but he may not permit such other clergyman to officiate any further in his church or congregation unless the said other clergyman either holds the licence of the Bishop of the Diocese in which the church or congregation is situated or has his written permission to officiate in his Diocese.

(*b*) A parish priest or other clergyman in charge of a church or congregation may permit a man who is not a clergyman of the Church of this Province or of any Church in communion therewith to conduct services or parts of services or to preach in his church or congregation only if he have express permission or direction of the Bishop to do so.

The Bishop may give such permission or direction either by a general licence or leave to the person, as for instance to a Lay Reader, or by a general direction, as for instance that in case of absence or sickness of the clergy of a church, Morning or Evening Prayer should be conducted by a communicant member of the Church of this Province of suitable character and standing, or by a particular permission to the parish priest to permit a named man to preach or conduct some service or part of a service.

(*c*) Any clergyman or other man conducting a service or preaching under the provisions of this Rule shall sign his name in the register of services of the church concerned.

Rule 19.—When any person in Holy Orders is about to leave a Diocese for the purpose of seeking employment in any other Diocese in communion with the Church of this Province he shall communicate his intention to the Bishop and apply for a *Bene Discessit*, that is, a certificate that he is not under any ecclesiastical censure, and if he be not under any ecclesiastical censure the Bishop shall grant the same. If such certificate shall be refused, the Bishop shall assign his reasons therefor in writing and deliver the same to the person applying. (*For form of certificate, see Appendix C. 14.*)

Chapter XVII.

OF THE SALARIES AND PENSIONS OF BISHOPS AND CLERGY.

Canon I.—The General Council may, if it think fit, take steps for the building up of a central Fund in order that suitable salaries and pensions may be paid to the Bishops and Clergy of this Province: pending any such action by the General Council each Diocese is responsible for the due maintenance of its Bishop and Clergy.

Chapter XVIII.

OF RELIGIOUS COMMUNITIES.

Canon I.—The Church of India, Burma and Ceylon, recognising the value to the Church of the witness of the Religious Life, will grant a regular authorisation to Religious Communities which are established or desire to be established within the bounds of the Province on the following conditions:—

(*a*) All members of such Communities, in their several relations to the Church, will be bound to observe the Canons and Rules of the Church of the Province.

In the recitation of the Divine Office and in their use of the Sacred Liturgy Communities will be free to follow, in their private Chapels, their accustomed order, provided that that order has received the approval of the Episcopal Synod.

(*b*) Every Religious Community having or establishing a House in this Province shall appoint as its Visitor in the Province a member of the Episcopal Synod, who may or may not be the Bishop of the Diocese in which the Community is settled.

It shall be the duty of the Visitor to visit the Community at least once in two years; to see that its Constitution and Rule, as authorised, are duly observed and to hear any appeals that may be made to him. No change in the Constitution or Rule of the Community shall be brought into operation without his sanction.

No fully professed member of the Community shall be dismissed therefrom without the right of appeal to the Visitor, nor shall any be released from his or her obligations to the Community without his sanction.

It will be the duty of the Visitor to obtain the approval of the Episcopal Synod of the Liturgical Order in use in the Chapels of the Community, and to report to the Episcopal Synod any changes in the Constitution or Rule which he may have sanctioned.

(*c*) The Bishop of the Diocese shall visit from time to time, as he may desire, any Community established in his diocese and engaged in diocesan work to enquire into the progress and fulfilment of such work.

In any case where the ruling of the Diocesan is disputed by the Community an appeal shall lie to the Episcopal Synod.

Canon II.—The Religious Communities which were already settled in India, Burma and Ceylon on the date of severance, and which within one year from that date shall have notified their acceptance of the conditions laid down in Canon I of this Chapter to the Diocesan Bishops in whose Dioceses they are settled, are Religious Communities with regular authorisation in the Church of this Province, and their Constitutions and Rules are authorised. Their names shall be entered in a list annexed to these Canons and Rules.

Any other Community which may desire to live and work within the Church of this Province shall, before establishing a House, apply for authorisation to the Episcopal Synod through the Diocesan Bishop in whose Diocese that House will be situated; and if it receive authorisation, its name shall be entered in the list. Any Community whose name appears in the list may open a House in a Diocese where it has not previously existed, with the sanction of the Bishop of that Diocese.

Canon III.—If in the judgement of the Episcopal Synod any Community shall have failed to conform to the provisions of Canon I, or by departing from its standard of life shall have ceased to be of service to the life of the Province, the Synod may withdraw the authorisation accorded to the Community, and its name shall then be removed from the list.

Chapter XVIII (A). Of Deaconesses.

Canon I.—The Order of Deaconess is for women the one and only order of the ministry which the Church of the Province recognises. The Office of Deaconess is distinct from and complementary to the historic Orders of Bishop, Priest and Deacon, and is primarily a ministry of succour, bodily and spiritual, especially to women.

Canon II.—A Deaconess dedicates herself to a lifelong service but no vow or implied promise of celibacy shall be required as necessary for admission to the Order.

Canon III.—A Deaconess shall be set apart by a special service conducted by the Bishop which shall include:—

(*a*) prayer by the Bishop and the laying on of hands;

(*b*) a formula giving authority to execute the office of a Deaconess in the Church of God;

(*c*) the delivery to her of the Bible and a Cross.

Canon IV.—A Deaconess shall receive a written Commission, and also a Licence for her work, from the Bishop. She shall work under the general direction of the Bishop, and, if appointed to a parish, under the direction of the parish priest.

Canon V.—With the permission of the Priest of the Parish in which she is working, a Deaconess may perform the following functions as part of her ministry in the Parish:—

(*a*) to assist the minister in the preparation of candidates for baptism and for confirmation, and at the administration of Holy Baptism;

(*b*) in Church, in the absence of the minister, to read Morning and Evening Prayer and the Litany, except such portions as are reserved to the Priest, and to lead in Prayer, to baptise, and to officiate at the Churching of women;

(*c*) with the licence of the Bishop, to instruct and preach in Church.

Canon VI.—If a Deaconess is a member of a Diocesan Council, she shall sit and vote in the House of Laity. She shall not be summoned to the Visitation of the Bishop but she may be invited to be present.

Rules.

1. No one shall be admitted to the Order of Deaconess before the age of thirty nor without a period of probation and training.

2. The Licence which is given to a Deaconess under Canon IV shall state whether she is licensed under V to instruct and preach in Church.

Chapter XIX.

THE PRIVILEGES AND OBLIGATIONS OF MEMBERSHIP OF THIS CHURCH.

Canon I.—With the exception mentioned in Canon II of this Chapter, the privileges and obligations of membership in the Church of India, Burma and Ceylon belong to every person who, being a permanent or temporary resident in India, Burma or Ceylon, (*a*) has been baptised with water in the name of the Father and of the Son and of the Holy Ghost, and (*b*) is willing to abide by the laws and customs of this Church, and (*c*) is not a member of any Christian body which is not in communion with this Church, and (*d*) is not excommunicated by lawful excommunication, and (*e*) has not apostatised openly to some non-Christian religion.

Canon II.—The privilege of participation in the government of the Church of India, Burma and Ceylon by its Councils (more particularly defined in Chapters XXVII and XXXIV) is confined to adult communicant members of this Church.

Canon III.—The privileges and obligations of membership of the Church of India, Burma and Ceylon are lost and brought to an end by lawful excommunication or by voluntary and open apostacy to some non-Christian religion or by acquiring membership in some body of Christians not in communion with this Church.

Canon IV.—A member of the Church of England or any other local or national Church in communion with the Church of India, Burma and Ceylon, when in consequence of residence in India, Burma or Ceylon he accepts the privileges and obligations of membership of this Church, does not thereby sever his connexion with the Church of England or other Church to which he previously belonged, or lose his right to enjoy the privileges of that membership on his return to the region of that Church's ministrations.

Rule 1.—This Church recognises that persons capable of instruction who belong to other religions should normally pass through a regular catechumenate before being admitted to Holy Baptism. The duration of the catechumenate and the instruction and discipline of catechumens shall be regulated by diocesan authorities, unless and until the General Council make general Canons or Rules on these matters.

Chapter XX.

OF PARISHES.

Canon I.—The General Council shall have power, if it think fit, to enact and make Canons and Rules regarding matters common to all parishes or to certain classes of parishes, and unless and until the General Council enact such Canons and Rules, and subject to the provisions of such Canons and Rules, if any be enacted by the General Council, every Diocesan Council shall have power to regulate such matters within its Diocese in any manner which it may deem best.

Canon II.—All diocesan rules, regulations and customs which relate to parishes and parochial matters and are not inconsistent with anything contained in the Constitution or in these Canons and Rules remain in force until they shall have been changed by the proper diocesan authority or by a Canon or Rule enacted by the General Council.

Chapter XXI.

OF THE SERVICES OF THE CHURCH.

Canon I.—The provisions of this Chapter are to be interpreted and carried out in the light of the following guiding principles concerning the development of public worship which the Church of India, Burma and Ceylon sets before itself:

(1) It desires to work towards the development of forms of worship congenial to the nature of the Indian races;

(2) It desires to give opportunities for great liberty of experiment in the direction of such development, but at the same time to safeguard provincial unity; and

(3) It desires to preserve to the English residents in India the opportunity of worshipping in their own language in a manner as nearly as may be similar to that to which they are accustomed at home, and for this last point special provision is made in Chapter XXII.

Canon II.—The right of giving directions concerning the conduct of public worship and in particular concerning the words to be used therein called in these Canons and Rules *liturgical authority*, belongs by ancient custom to the Bishops of the Church. The Church of India, Burma and Ceylon recognises that its Bishops have liturgical authority, and regulates by Canon and Rule the methods by which that authority is to be exercised. While each Diocesan Bishop should exercise that authority in his own Diocese, yet since right and sound forms used in worship have great influence in maintaining the purity of a Church's faith, and common forms of prayer promote unity of spirit among those who use them, the conduct of worship in the several Dioceses is a matter of grave concern to the Province as a whole. The Church of the Province therefore recognises it to be the duty of the Episcopal Synod to act on behalf of the Province in the matter of the direction of public worship, and especially to secure that suitable forms of words for the most sacred and essential parts of worship shall be used throughout the Province, and to provide that the Diocesan Bishops may exercise their liturgical authority in constant consultation with each other and in such a manner as not to endanger the harmony of the Dioceses and the unity of the faithful. Further, inasmuch as public worship is the common concern of all who take part in it, the Church of this Province recognises not only that assessors should sit with the Episcopal Synod when it considers liturgical matters, but also that the General Council may constitutionally be called upon to concur in the action of the Episcopal Synod in grave matters relating to public worship, and enacts that the concurrence of the General Council shall be required for the adoption of any Book of Common Prayer to be authorised for the Province as a whole, and for any change in such a Book when once authorised.

Canons III and IV.—The Service Books of this Province.

Canon III.—Whereas the Church of this Province from its beginning up to the date of the adoption of these Canons and Rules had for its service book the book entitled *The Book of Common Prayer and Administration of the Sacraments and other Rites and Ceremonies of the Church according to the use of the Church of England, together with the Psalter or Psalms of David pointed as they are to be sung or said in Churches, and the Form and Manner of Making, Ordaining and Consecrating of Bishops, Priests and Deacons*, and had received and used the same as prescribed with authority by the Church of England, subject to certain modifications allowed by the Bishops in India for the more convenient use of the said book in this country, the Church of this Province by this Canon accepts the said book as the Book of Common Prayer of this Church, and, with the modifications above referred to* authorises the continuance of its use in this Province, subject to the provisions of the following Canons of this Chapter, and to those of Chapter XXII.

No alteration or modification of the Book of Common Prayer of the Church of England which may hereafter be made by authority in the Church of England, and no form of worship† which may be authorised as an alternative to any form in the said Book in the Church of England, shall be of force in this Province unless and until it be authorised by the Church of this Province for use therein under the provisions of the following Canons of this Chapter or of Chapter XXII.

Canon IV.—The Church of this Province has power at any time by the proper authorities as defined in this Chapter to alter its Book of Common Prayer, whether by variation or omission or the insertion therein of alternative or additional forms of worship. It has also power by the same authorities to authorise beside the Book of Common Prayer of the Province another service book or other service books, or alternative or additional forms of worship, and this power will include power to authorise side by side with the Book of Common Prayer of the Province an Indian edition thereof containing all those forms which may be adopted and authorised specially for the benefit of Indian congregations.

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* Cf. the note at the end of this Chapter.

† See the definition in Chapter XLV.

All the powers taken in this Chapter shall, in the cases defined in Chapter XXII, be exercised subject to the provisions of that Chapter.

Canons V and VI.—The effect of authorisation.

Canon V.—When any form of worship is authorised for use throughout this Province or in any Diocese thereof, any clergyman within the sphere of the authorisation may use it in divine worship, subject to the provisions of Canon XIV of this Chapter concerning alternative and optional forms.

Thus, when a form of worship has received provincial authorisation, whether in the Book of Common Prayer of the Province or outside that Book, it may be used by any clergyman in the Province, and no Bishop can forbid the use of such form except under the provisions of Canon XIV; and when a form of worship has received diocesan authorisation, it may be used by any clergyman in the Diocese, unless the Bishop has explicitly restricted the sphere of his authorisation in any way.

Canon VI.—When at any time only one form of worship for a particular rite, object or occasion has received authorisation, whether provincial or diocesan, that form of worship must be used in the Province or that Diocese for the rite, object or occasion in question until the Episcopal Synod or the Diocesan Bishop take further order.

Canons VII to XIII.—The authorities and procedure of provincial and diocesan authorisation.

Canon VII.—The proper authority in the Church of this Province for the authorisation or approval of forms of worship for the whole Province is the Episcopal Synod.

The Episcopal Synod may under this power—

(*a*) give provincial authorisation to forms of worship, whether supplementary and additional to those contained in the Book of Common Prayer of the Province, or varying from or alternative to those forms; and

(*b*) authorise any alteration in the Book of Common Prayer of the Province, whether by the insertion therein of any form of worship to which it has already given provincial authorisation, or in any other way, such alteration, however, being subject to the concurrence of the General Council and not taking effect till that Council has signified that concurrence; and

(*c*) issue and sanction forms of worship supplementary or additional to the Book of Common Prayer of the Province, or varying from or alternative to forms contained therein, which may be used in any Diocese when diocesan authorisation thereof has been given by the Bishop of the Diocese.

Canon VIII.—The concurrence of the General Council to the authorisation by the Episcopal Synod of any alteration in the Book of Common Prayer of the Province shall be given in the same manner as is laid down in Chapter XXX of these Canons and Rules for the enactment of a Canon on a matter involving a question of Faith or Order.

Canon IX.—The proper authority for the authorisation and issue of forms of worship for a particular Diocese is the Bishop of the Diocese, exercising his liturgical authority under the general supervision of the Episcopal Synod.

A Diocesan Bishop may authorise and issue in his Diocese—

(*a*) any form of worship issued and sanctioned by the Episcopal Synod under Canon VII (*c*) of this Chapter; and

(*b*) any form of worship which, requiring under Canon XI of this Chapter the sanction of the Episcopal Synod, has been examined and approved by it; and

(*c*) any other form of worship which has been examined and allowed by the Episcopal Synod, the Bishop having elected to consult the Synod before giving authorisation; and

(*d*) any form of worship which he authorises and issues on his own authority, subject to report to the Synod under Canon XII of this Chapter and to the provisions of Canon XIII of this Chapter.

Canon X.—No form of worship may be authorised under the last preceding Canon if, in respect of the words employed in it or of the usages, practices or ceremonial accompanying the words, it is repugnant to or inconsistent with the doctrine expressed in the Book of Common Prayer of the Province and in other formularies recognised by this Church as standards of doctrine; and on any question raised whether any such form of worship is or is not repugnant to or inconsistent with the said standards, the decision of the Episcopal Synod shall be final.

Canon XI.—In the following services or parts of services, a Diocesan Bishop may give diocesan authorisation to any deviation from the Book of Common Prayer of the Province only under Canon IX (*a*) of this Chapter or after receiving the sanction of the Episcopal Synod to the proposed deviation:

(*a*) The portion beginning with the questions and ending with the collect after the Lord's Prayer in the service of Holy Baptism in the English Book of Common Prayer;

(*b*) The service of Holy Communion with the exception of the variable portions (collects, epistles and gospels, special prefaces and last collects) and of the portion preceding the Collect for the Day in the English Book of Common Prayer;

(*c*) In the Order of Confirmation, the words accompanying the laying on of hands; and the prayers preceding and following it;

(*d*) In the Form of Solemnisation of Matrimony, the words ordered to be said by the man and the woman and the words ordered to be said by the priest in declaring them to be man and wife; and

(*e*) The Ordinal, with the exception of the words which refer to "the order of this Realm" and to the king's Mandate, so long as those words remain printed in the Book of Common Prayer of this Province.

Canon XII.—In matters of small moment or of purely temporary purpose the Bishop's authority shall not be subject to revision: but every Bishop shall report to the Episcopal Synod any form of worship which he authorises for regular use in his Diocese, and also, if invited by the Synod, anything which he has done by virtue of his liturgical authority, in order that the Synod may make more widely useful those things which have been well done in any Diocese, and may also have the opportunity of calling the attention of any Bishop to anything done by him which in its judgement is inconsistent with its own decisions or with the Canons and Rules of this Church, or appears to be detrimental to the common interests of the Province.

Canon XIII.—The Episcopal Synod shall not interfere with the exercise of a Diocesan Bishop's liturgical authority in his Diocese, except when in the deliberate judgement of the Synod such directions concerning public worship as he may have given or propose to give, or such forms as he may have authorised or propose to authorise either

(*a*) are inconsistent with a decision of the Synod, at the time in force, or (*b*) contravene Canon X of this Chapter, or

(*c*) affect the validity of any sacrament or other holy rite, or

(*d*) may reasonably be held to endanger or bring into question the spiritual identity of the Church of this Province, or

(*e*) endanger the harmony and unity of spirit which should subsist between the different Dioceses of the Province.

If any question arise as to whether particular directions of a Diocesan Bishop in the matter of public worship, forms of service or ceremonial fall under any of the exceptions mentioned in the preceding paragraph, the decision of the Episcopal Synod shall be final, and the Bishop concerned shall withdraw or modify in accordance with the judgement of the Synod, any such forms of service or directions about public worship.

Canon XIV.—Since the issue of alternative and optional services presupposes the existence of varieties of spiritual need such as are created by differences of race, intellectual equipment, religious habit and spiritual experience, and is intended to meet such need, a parish priest or other clergyman in charge of any congregation may, when any kind of authorisation,, diocesan or provincial, has been given to any alternative or optional form of service, introduce experimentally the use of such form on occasions of which he shall give due notice to the congregation.

If the congregation has been recognised under diocesan rules to have attained a sufficient degree of maturity for the application of this Canon, the parish priest shall at the end of three months consult a general meeting of the congregation, after due notice has been given, before continuing the use of such service in the parish. The parish priest shall then report to the Bishop the opinions of the congregation, whether they be in favour of the continuance of the original or of the alternative form of service; and if the service in question be Morning or Evening Prayer or the Holy Communion the Bishop shall direct that that form of service which the majority of the congregation desire shall be the normal form used in the parish; but if, in his judgement, a sufficient minority of the congregation desire the occasional use of the other form, he may direct the Parish Priest to use it occasionally or by way of alternation. And in general the Bishop of the Diocese may, in the exercise of his pastoral oversight of congregations, rule that where alternative forms are not adopted for general use in a parish they may be used, —whether occasionally or by way of alternation—by a Parish

Priest at his discretion where he feels that the use of a single form leaves many members of the congregation without a form of worship specially suited to their spiritual need.

Provided that nothing in this Canon which is inconsistent with the provisions of Chapter XXII shall be applied to the churches or congregations to which that Chapter relates.

Provincial action not subject to authorities outside it.

Canon XV.—The Episcopal Synod, in giving decisions or rulings upon any matters concerning public worship, including the interpretation of the Book of Common Prayer of the Church of this Province, is not bound by the decisions of any Court outside this Province, nor will its decisions and rulings be subject to appeal to or revision by any person or Court outside this Province.

Rule 1.—A resolution of the Episcopal Synod allowing diocesan authorisation of any form of worship under the provisions of Canon IX (*c*) of this Chapter shall not be taken to imply approval of everything contained in that form, but merely that there is no objection on the part of the Province to the diocesan authorisation of that form.

Rule 2.—A resolution of the Episcopal Synod approving under Canon IX (*b*) or allowing under Canon IX (*c*) of this Chapter the diocesan authorisation of any form of worship shall in no way commit the Synod to authorise the form or any part thereof under Canon VII of this Chapter.

Rule 3.—A Diocesan Bishop may give under Canon IX of this Chapter, limited and experimental authorisation to any form of worship and the provisions of Canons X to XIV of this Chapter shall apply to any form of worship which receives such limited and experimental authorisation.

Rule 4.—The Episcopal Synod and any Diocesan Bishop in their respective spheres as defined in Canons VII to XIII of this Chapter, and subject to the limitations imposed by those Canons, may authorise the use of *ex tempore* prayer in the public services of the Church, provided that in any service such prayers or other portions of the service are said according to authorised forms as the Episcopal Synod or the Diocesan Bishop (as the case may be) has directed to be so said.

Rule 5.—The Metropolitan shall nominate and appoint a Liturgical Committee, to which every Diocesan Bishop shall send a copy of every form of worship which he authorises in his Diocese, with the exception of such matters as are trivial or purely temporary. The Liturgical Committee shall consider and report to the Episcopal Synod on these forms and also on any forms that may be referred to it by the Episcopal Synod, and shall carry out such other duties as may be committed to it by the Episcopal Synod.

When a Diocesan Bishop refers any form of worship to the Episcopal Synod under the provisions of Canon IX (*b*) or (*c*) of this Chapter, the Metropolitan shall in general refer such form to the Liturgical Committee for report, and the Episcopal Synod shall consider any report which the Committee may have made on the form referred to it before making decision in regard to that form.

Rule 6.—Authorisation of a translation into a vernacular of any form of worship which has received provincial authorisation may be given by the Bishop of the Diocese concerned (or, if the vernacular be largely used in more than one Diocese, by the Bishops of the Dioceses concerned acting together), provided that he (or they, as the case may be) shall previously have consulted the Liturgical Committee with regard to any alterations in the substance of such form of worship which may have been introduced in the process of translation, and that either the Liturgical Committee shall have held that those alterations were unobjectionable, or the Episcopal Synod, on reference being made to it by the Committee, shall have sanctioned them.

Rule 7.—By the term "congregation" in Canon XIV of this Chapter shall be understood all adult members of the Church of the Province who regularly worship in the church concerned.

Rule 8.—Notice of the date, place and object of any general meeting of the congregation summoned under Canon XIV of this Chapter must be given at the time of Divine Worship on not less than two successive Sundays, and also be posted on the church door.

NOTE.

MODIFICATIONS IN THE BOOK OF COMMON PRAYER PRESCRIBED OR AUTHORISED BY THE EPISCOPAL SYNOD PREVIOUS TO THE DATE OF SEVERANCE.

I. *Modifications prescribed by the Episcopal Synod.*

The State Prayers and suffrages given in Ep. Syn. 1904, Res. 9 in substitution for those in the Book of Common Prayer.

II. *Modifications which every Diocesan Bishop has power to authorise.*

1. *In Morning and Evening Prayer—*

(*a*) modifications consisting only in the curtailment, when special circumstances so require, of Matins and Evensong (Ep. Syn. 1893, Res. 7);

(*b*) the appointment of special Psalms and Lessons on particular occasions (1908, Res. 11, 2);

(*c*) the adoption of an alternative Table of Psalms or Lessons provided that an alternative Table so adopted be regarded as local, tentative, or provisional, the final sanction of such alternative Table requiring the authority of the Province (1908, Res. 11, 2);

(*d*) the use of Bishop Cotton's prayer after the Collect for the Day or among the prayers after the Third Collect (1924, Res. 9);

(*e*) the addition of a special prayer for use in the Indian States on behalf of their non-Christian Rulers (1908, Res. 11, 3);

(*f*) the addition of a collect for absent friends [1908, Res. 11, 5 (*c*)];

(*g*) (*for Parade Services only.*)

the substitution for the Order of Morning Prayer of any one of the three forms of Parade Service, with the Table of Psalms and Lessons thereto appended, given in Ep. Syn. 1908, Res. 12 and Appendices;

(*h*) (*for Indian congregations only.*)

(i) an alternative form of service to be used instead of Matins or Evensong, provided that one of these services is used on the same day, it being understood that such alternative form is regarded as provisional and subject to the future approval of the Synod [1908, Res. 11, 5 (*f*)].

(ii) a simple exposition of the Lesson instead of a Sermon [1908, Res. 11, 5 (*g*)].

2. *In the Communion Service—*

(*a*) the occasional substitution of the New Testament Summary for the Ten Commandments [1908, Res. 11, 5 (*a*)];

(*b*) the omission of the prayer for the King [1908, Res. 11, 5 (*a*)];

(*c*) the use of Bishop Cotton's prayer after the Collect for the Day or before the Benediction (1924, Res. 9);

(*d*) the shortening of the words of administration [1908, Res. 11, 5 (*a*)].

3. *In other services*—

(*a*) the construction of a form of service based wholly on the existing services for Infant and Adult Baptism for use in cases where adults and infants are baptised at the same time [1908, Res. 11, 5 (*d*)];

(*b*) the modification, where necessary, or even the omission of the Preface in the Confirmation Service and such modification of the Question as is obviously needed in the case of persons baptised as adults [1908, Res. 11, 5 (*e*)];

(*c*) the publication of Banns of Marriage on Holy Days in the case of Indian Christians, and the total period which must elapse between the first publication of Banns and the performance of a marriage (1918, Res. 12 and 1920, Res. 28);

(*d*) in the Burial Service the substitution of the Lesson in the Irish Prayer Book for that in the Book of Common Prayer [1908, Res. 11, 5 (*b*)];

(*e*) the provision of a special form of service for the burial of baptised children [1908, Res. 11, 5 (*b*)];

(*f*) the provision of forms of service for occasions not provided for in the Book of Common Prayer (*this power only given provisionally*) (1893, Res. 9);

(*g*) the adoption for the admission of baptised persons to the communion of the Church of England of the form given in Ep. Syn. 1904, Res. 20.

Chapter XXII.

OF MAINTAINED CHURCHES, OF EUROPEAN CONGREGATIONS AND OF GOVERNMENT CHAPLAINS.

Canon I.—All the Canons and Rules of this Church shall apply to Maintained churches and the services and administration thereof and to European congregations and to Government chaplains except in so far as they are modified in respect to such churches, congregations or chaplains by express enactment in these Canons and Rules, and in particular—

(*a*) no Government chaplain shall officiate as a minister of the Church of India, Burma and Ceylon except in so far as he may be authorised so to officiate in accordance with the Canons and Rules of this Church, nor shall any such chaplain so officiating administer any sacrament or perform any rite, ceremony, solemnisation of marriage, service or religious ministration of any kind except in conformity with the Canons and Rules of this Church;

(*b*) subject to the provisions of the Indian Church Statutory Rules printed as an annexure to these Canons and Rules, the fact that any church or chapel is a Maintained church shall give no right to persons who are under the Canons and Rules of the Church of India, Burma and Ceylon excluded from any sacrament or service to receive or participate in such sacrament or service therein, and no clergyman of this Church shall permit any such person to receive or participate in any sacrament or service therein; and

(*c*) subject to the provisions of the said Statutory Rules, the fact that any church or chapel is a Maintained church shall give no right to any person purporting to act on behalf of the Church of India, Burma and Ceylon to perform any religious ministration in any such church or chapel who is not under the Canons and Rules of this Church allowed to perform such ministration, and no clergyman of this Church shall permit any such person to perform any such ministration.

Canon II.—In Maintained churches and in other churches where those congregations worship which consist entirely or predominantly of persons brought up in the Church of England in England or of other persons who are accustomed to the use of the services of the Book of Common Prayer in the English language, and in any services held elsewhere for such congregations, the services contained in any Book of Common Prayer from time to time authorised by the Church of England in England (subject to such minor modifications by way of permitted alternatives therein as have from time to time been sanctioned by the Episcopal Synod and are mentioned in the Note attached to Chapter XXI) shall be said and used, and except under the conditions prescribed in the next following Canon, no deviations therefrom which may be authorised in the Church of this Province shall be used in such services unless such deviations have also been authorised by the Church of England in England, provided always that the provisions of this Canon shall not apply to congregations other than those described therein though such congregations worship by customary right in a Maintained or other church to which the provisions of this Canon apply.

Canon III.—Any alteration in the Book of Common Prayer from time to time authorised by the Church of England in England, and any form of service in substitution for any of the forms therein provided, which may have been sanctioned for use in this Province or in any Diocese thereof but which has not been prescribed or authorised by the Church of England in England, may only be said or used in any service held for any congregation which consists entirely or predominantly of persons brought up in the Church of England in England or of other persons who are accustomed to the use of the services of the Book of Common Prayer in the English language on the following conditions, *viz.*:—

(*a*) that the parish priest shall have obtained the consent thereto of a majority of the church council or committee of such congregation, and

(*b*) that on the demand of any three communicant members of such congregation the matter shall be referred to a general meeting of the communicant members of the congregation, in which case the consent of not less than three-quarters of the members of the congregation present in such meeting must be obtained to the adoption of the proposed alteration or substituted form of service.

If it be desired to resume the use of any form of worship prescribed in the Book of Common Prayer which has been departed from in accordance with this Canon, such resumption may take place on the same conditions as are stated above, except that if the matter be referred to a general meeting of the communicant members of the congregation, it shall suffice that a majority of the members of the congregation present in such meeting consent to such resumption.

Canon IV.—The Indian Church Statutory Rules made under the fifth section of the Indian Church Act, 1927, with the consent at their first adoption of the Bishop of Calcutta and the Bishop of Bombay acting under authority of the General Council given at its session of 1926, and with such modifications as may from time to time be made with the concurrence of the Bishop of Calcutta on behalf of the Church of this Province or by direction of the Archbishop of Canterbury or other arbitrator acting under section 5 (x) of the said Act, shall be published as an annexure to these Canons and Rules.

Canon V.—So long as the Statutory Rules referred to in Canon IV are in force, the Church of India, Burma and Ceylon will perform and do all duties, undertakings and things which under those Statutory Rules fall to it to perform and do.

Canon VI.—When the Metropolitan receives from the Government of India, or himself desires to make, a proposal for an alteration in the Statutory Rules made under the Indian Church Act 1927, he shall bring the proposal before a Board appointed by the General Council for the purpose of advising him in this matter, to be called the Statutory Rules Board, and he shall not give his concurrence to or himself propose any alteration in the Statutory Rules till he has consulted such Board, unless after notice of at least one month there is no quorum at the meeting of the Board.

Rule 1.—In this Chapter the term "church council or committee" shall mean any representative parochial body established under these Canons and Rules or by diocesan authorisation, or failing such representative parochial body, any other body of persons which is responsible under diocesan rule or authorised custom for the affairs of the church or congregation.

Rule 2.—The demand for reference to a general meeting of the congregation referred to in Canon III of this Chapter may be made either—

(*a*) at the meeting of the church council or committee which consents to the adoption of a proposed alteration or substituted form of service, or within seven days of such meeting, in which case such alteration or form of service may not be said or used until the consent by the due majority of the general meeting of the congregation shall have been obtained, or

(*b*) at any time within one year after an alteration or substituted form of service has with the consent of the church council or committee been brought into use, in which case the alteration or substituted form of service shall cease to be used if and when in the general meeting of the congregation the due majority in favour of its use shall not be obtained.

Rule 3.—Notice of the date, place and object of any general meeting of the communicant members of a congregation summoned under Canon III of this Chapter must be given at the time of Divine Worship on not less than two successive Sundays and also be posted on the church door.

Rule 4.—If the appointment of a clergyman has been terminated by the Secretary of State for India, otherwise than by the completion of the period of his agreement or by resignation, he shall not be entitled to minister in any Maintained church, but such termination of his agreement shall not, *ipso facto*, affect his licence to officiate in the Diocese or the right of a Bishop of another Diocese of the Church of India, Burma and Ceylon to grant him a licence to officiate in his Diocese, so long as in either case he abstains from officiating in Maintained churches.

Rule 5.—Any modification or alteration of the Statutory Rules made under the Indian Church Act 1927 shall be fully reported at the next ensuing session or meeting of the General Council and be entered on the minutes thereof.

Rule 6.—The Statutory Rules Board of the General Council, all the members of which must belong to one or other of the Dioceses of this Church in India or Burma, shall consist of three Bishops, three priests, two of whom must be members of the Council, and four laymen two of whom must be members of the Council and the others qualified to be members of the Council.

Rule 7.—The Council shall elect this Board at every ordinary session and it shall hold office till the election of the new Board at the next ensuing ordinary session.

Rule 8.—At the time of the election of the Board the Council shall also elect from the Dioceses of this Church in India or Burma three Bishops, five priests one of whom at least must be a member of the Council, and six laymen two of whom at least must be members of the Council and the others qualified to be members of the Council, whom the Metropolitan shall summon to attend the Statutory Rules Board in place of any member who is unable to attend any meeting, a Bishop in the place of a Bishop, a priest in that of a priest, and a layman in that of a layman.

Rule 9.—The quorum of the Board shall be one Bishop (besides the Metropolitan), one priest and one layman both at the commencement of the sitting of the Board and at any subsequent time during its sitting.

Rule 10.—The Metropolitan shall give at least one month's notice of the date and place of meeting of the Board, and if after such notice there is no quorum at the meeting of the Board, the Metropolitan shall be free at his own discretion to give or withhold his concurrence to the proposed alteration in the Statutory Rules or himself to propose an alteration as the case may be, or, if he prefer, to summon another meeting of the Board. If at the second meeting also there is no quorum, he shall take action with regard to the proposed alteration.

Chapter XXIII.

OF CHURCHES AND OF ALTERATIONS THEREIN.

Canon I.—Church buildings, church lands and cemeteries which are to be set apart by a service of consecration or dedication shall previously be vested in such bodies of trustees as the General Council may from time to time declare to be competent bodies of trustees under this Canon.

Canon II.—The trustees of such church buildings, lands and cemeteries shall not simply because of their trusteeship be held liable for repairs, alterations or extensions; but it shall be incumbent on them to ascertain from time to time that the buildings and lands are maintained for the purpose for which they were set apart, and to require that serious structural defects be repaired, and to consider and decide upon any proposals that may be made for major structural alterations.

Canon III.—The written consent of the Bishop of the Diocese shall be necessary for the removal to any other place of a church building which has been consecrated or dedicated, or for its demolition or for its diversion to any other purpose than that for which it was set apart, and for the diversion to any other purpose than that for which it was set apart of a church land or cemetery which has been consecrated or dedicated. If such church building, church land or cemetery has been consecrated, the consent of the Metropolitan also shall be necessary.

Canon IV.—After the consent of the Bishop (and of the Metropolitan, if necessary) has been obtained to such demolition, removal or diversion of use of any church building, church land or cemetery, it shall be competent to the trustees, after securing the necessary authorisation either by procedure under Rule 11 scheduled to the Charter of Incorporation of the Indian Church Trustees or by a decision of some other competent Court, to assent to such demolition, removal or diversion or use, provided that they are satisfied that at least the value of the property, as it was at the time of demolition, removal or diversion, is expended upon a new church or upon the enlargement of an existing church or (as the case may be) upon the provision of a new church land or cemetery, or is kept in trust for the maintenance of religious services or (as the case may be) for the burial of the dead in some other place;

and it shall not be competent for them to devote the money to any other object, provided that, where circumstances so allow, they may take from the value of the property such expenses as may be incurred in any legal proceedings which may be required in connexion with this alteration of the trust.

Canon V.—The Parish Priest and the lay trustees of the parish or such other parochial representative body as may be approved for the purpose by diocesan rules shall be responsible for the upkeep of the fabric of buildings and for the proper maintenance of the church building, church land or cemetery as the case may be, and for obtaining the consent of the Bishop and of the trustees to proposals for major structural alterations before carrying them out,

provided that where the Diocesan rules so provide, these duties may be carried out by some other body of managing trustees.

Canon VI.—The following provisions shall be included in every deed of trust of a church building, church land or cemetery which is to be consecrated or dedicated subsequent to the date of severance:—

(i) The provisions of Canons II, III and V of this Chapter; and

(ii) The provisions that after the consent of the Bishop of the Diocese (and of the Metropolitan, if necessary) has been obtained to the demolition, removal or diversion of use of any church buildings, church land or cemetery which has been consecrated or dedicated, it shall be competent to the trustees to assent to such demolition, removal or diversion of use, subject to the provisos qualifying such assent which are stated in Canon IV of this Chapter.

Rule I.—Any body of trustees representative of the Church of the Province of India, Burma and Ceylon or of any Province of that Church which may hereafter be constituted, or of any Diocese thereof shall be a competent body of trustees under Canon I.

Rule 2.—When the sanction of Government has been obtained to the consecration of a church building and land or of a cemetery owned by Government, the Government shall be considered to have constituted itself trustee within the meaning of Canon I.

Rule 3.—Churches, church lands and cemeteries which are the property of missionary and other religious societies working in the Province are held by them in trust for the purposes for which they were set apart, and such societies shall be considered to be competent trustees within the meaning of Canon I provided that they shall have first given their consent to the consecration.

Rule 4.—Nothing in these Rules shall be so construed as to release any clergyman or other person from the obligation to obtain the faculties or sanctions which have been customary for alterations in the fabric and furniture of churches.

Rule 5.—Alterations in the fabric, furnishing or ornaments of a church which facilitate or are intended to introduce or to accompany a change in the customary worship and ceremonial of that church shall require the previous sanction of the Bishop of the Diocese.

The Parish Priest or other clergyman in charge of a congregation which has been recognised under diocesan rules to have attained a sufficient degree of maturity for the application thereto of this Rule, shall, before applying for this sanction, consult such parochial representative body (or such persons representing the congregation) as may have been approved for the purpose under those rules, and shall report to the Bishop their opinion on the proposed alterations.

Rule 6.—A list of the furniture and property of every church shall be kept by the Churchwardens or Church Trustees or other person or persons appointed to have charge of any church, and shall be verified by them from time to time, and shall be exhibited by them to the Archdeacon or other official of the Diocese whose duty it is to inspect the property of churches at his periodical visitation or inspection.

Rule 7.—Rules shall be made as may be needful in each Diocese for the due carrying out of the provisions of the Canons and Rules of this Chapter.

Chapter XXIV.

OF MARRIAGE.

Canon I.—All the rules and customs concerning marriage, including those concerning the calling of banns, celebration and registration of marriages, prohibited degrees and marriage of divorced persons which were in force in the Church of this Province at the date of severance shall continue in force after such date unless and until any of them be altered by the competent authorities in accordance with the provisions of these Canons and Rules.

Two of the rules and customs referred to here are that the clergy of this Church are forbidden to solemnise marriages between (*a*) persons either of whom has been previously married and has been divorced, if the divorced spouse is still living; and (*b*) between two persons related in any of the degrees set out in the Table of Kindred and Affinity set forth in 1563 and confirmed by Canon 99 of 1603. These two rules are practices of this Church for 20 years preceding the date of severance for the purposes of Statutory Rule 23 under the Indian Church Act 1927.

Chapter XXV.

OF THE EPISCOPAL SYNOD.

Canon I.—The Episcopal Synod shall consist of all the Diocesan Bishops of the Province, but the absence of any of the Bishops duly summoned to any session of the Synod shall not invalidate the proceedings of the Synod at that session, provided that the quorum provided by Rule is present at each meeting thereof.

Canon II.—A Diocesan Bishop shall be entitled to sit in the Episcopal Synod when he has presented to the Metropolitan the instrument of confirmation of his election or appointment together with the act of his consecration, or, if he shall have been consecrated outside this Province, a corresponding document from the Province in which he was consecrated.

Canon III.—A Diocesan Bishop who has a Coadjutor or Assistant Bishop working in his Diocese may grant to him a commission to sit as a member of the Episcopal Synod in his absence, such commission being limited to a named session of the Episcopal Synod.

Canon IV.—The principal duties of the Episcopal Synod are those which are by custom performed by the Bishops of a Province acting together, *viz.*:—

(*a*) to deal with questions concerning the Faith and Order of the Church as they arise, and to issue pronouncements or instructions thereon,

(*b*) to judge such matters as a court of appeal from diocesan courts,

(*c*) to supervise or regulate the public worship of the Church with a view to the advantage or the needs of the Province as a whole,

(*d*) to confirm the election or appointment of persons to be Bishops of the Province, and through at least three of their number to consecrate them as such,

(*e*) to enquire into all such cases as might lead to the suspension or deposition of a Bishop or to his being relieved of his duties, and, if they think necessary, to take action in that behalf.

To these this Church adds other duties—

(*f*) as the supreme Court of the Province, in questions of Faith and Order and in matters involving such questions, to give declaratory judgements on references in regard to such questions or such matters, and

(*g*) to carry out such other functions as may hereafter be assigned to it by Canon or may from time to time be committed to it by resolution of the General Council.

The action of the Episcopal Synod in regard to paragraph (*a*) above is regulated by Canons VII to IX of this Chapter, in regard to paragraph (*b*) by Chapter XL of these Canons and Rules, in regard to paragraph (*c*) by Chapter XXI, in regard to paragraph (*d*) by Chapter IX, in regard to paragraph (*e*) by Chapters XII and XLI, and in regard to paragraph (*f*) by Chapter XL.

Canons V and VI. The assessors of the Episcopal Synod

Canon V.—When a session of the Episcopal Synod is summoned, in which it is proposed to take action under paragraphs (*a*), (*b*), (*c*), (*e*) or (*f*) of the last preceding Canon, the Metropolitan shall do his utmost to obtain the attendance of a number of priests equal to the number of the Bishops of the Synod and also the attendance of four laymen (or, in the case of the trial of a Bishop in a matter not concerning Faith or Order, that of three priests and three laymen) from the panels of assessors appointed by the General Council for that purpose, but if after due notice has been given to the assessors the number of assessors present shall not be equal to the number of Bishops, the absence of some of the assessors shall not invalidate the proceedings of the Synod.

Canon VI.—At any meeting of the Episcopal Synod at which assessors are present, the assessors shall be entitled to speak but not to vote, and shall be present throughout the meeting, save that the Bishops may, after debating any matter with the assessors, if they think fit sit without the assessors to consult among themselves concerning the terms of any decision of the Synod.

Canons VII to XI. The Episcopal Synod's instructions to the Faithful.

Canon VII.—By the ancient rule of the Church it is the normal duty of each Diocesan Bishop to teach the flock committed to his care, and of the Bishops of the Province, acting together in common council, to give instruction and advice to the whole body of the faithful under their jurisdiction. This office of the Bishops of the Province will ordinarily be fulfilled through the issue of occasional "Statements" addressed to the faithful by the Episcopal Synod. But so often as any grave question of Faith or Order shall arise, it shall be the duty of the Metropolitan to bring the matter formally before the Synod, and the Synod, if after due deliberation and after consultation with assessors chosen by the General Council for that purpose it shall seem good to it, shall frame a synodical "Determination" on such question. Any such Determination shall be taken as a formal exposition of the meaning of the teaching of the Church on the matter in question made by the highest authority having special responsibility in matters of doctrine available within the Church of this Province but it shall not be made ground for disciplinary proceedings against any member of the Church until it shall have been, or except in so far as it shall have been, incorporated by the General Council into the Canons of this Church.

Canon VIII.—When a question of Faith or Order has in accordance with the Canons and Rules of this Chapter been referred to the Episcopal Synod, the Synod shall consider it, and, if it think fit, shall formulate and issue its decision either as a Determination, as defined in Canon VII of this Chapter, or as a Statement, that is to say, a pronouncement issued by way of instruction to the Church or to particular persons within the Church, but not having the force of a formal Determination. Both Determinations and Statements may be promulgated by means of Synodical Letters.

Canon IX.—When under the provisions of Chapter XXVIII, Canon IV, matters involving a question of Faith or Order are brought before the General Council it may deal with them under that Canon, but if it shall desire to have communicated to it a Determination or Statement dealing directly with the question of Faith or Order involved, it may refer the matter to the Episcopal Synod, who shall then take the matter into consideration with a view to framing and communicating to the Council or issuing such a Determination or Statement thereon.

Canon X.—Nothing in this Chapter shall be deemed to prevent the Bishops from meeting by themselves for mutual consultation on matters relating to the discharge of their duties, but if in such meetings they decide to issue a Pastoral Charge on any matter, that Charge shall be issued solely as advice offered by the Bishops to the clergy and people under their care and not as a formal Determination or a Statement by the Episcopal Synod.

Canon XI.—The determinations and statements of the Episcopal Synod are subject to revision and correction by an oecumenical Synod, if, in God's mercy, such a Synod should be gathered together, and also by any formally constituted Synod of Churches at any time in communion with the Church of India, Burma and Ceylon, if this Church has, through the General Council, consented to the constitution of that Synod, and consented to be bound by its decisions.

Rule 1.—In summoning assessors to attend a session of the Episcopal Synod, the Metropolitan shall not be bound to summon the assessors in the order in which their names stand on the panels constituted by the General Council, but he shall aim at obtaining the attendance of the specified number of assessors and at including on each occasion representatives of differing points of view in the church.

Rule 2.—The Metropolitan shall continue summoning assessors till he have obtained promises to attend the session of the Episcopal Synod from the number of clergy and laity specified in Canon V of this Chapter or have exhausted the panels.

Rule 3.—The quorum of Bishops for any meeting of the Episcopal Synod shall be a majority of Bishops of the Synod. When any matter is being dealt with for which assessors must under Canon V of this Chapter be summoned, no quorum of assessors is necessary provided that Rule 2 of this Chapter has been observed, but if there shall not be at least three clerical assessors present when the Synod begins to deal with that matter, the Synod shall not issue any Determination thereon at that session.

Rule 4.—If the General Council desires to refer a question of Faith or Order to the Episcopal Synod during one of its own sessions, and there are not so many assessors as are contemplated in Canon V of this Chapter present at the time, the General Council may forthwith elect additional assessors to serve for that occasion.

Rule 5.—The Metropolitan shall be the convener of the Episcopal Synod, and he may summon it of his own motion, and shall summon it when requested to do so by the General Council or by three of the Diocesan Bishops.

Rule 6.—The persons or bodies who may refer matters to the Episcopal Synod shall be the Metropolitan, any Bishop of the Province, any Diocesan Council, any Diocesan Synod and the General Council.

Rule 7.—Whenever circumstances permit, the assessors to the Episcopal Synod should be given an opportunity of seeing the terms of any Determination or Statement on a question of Faith or Order drafted by the Bishops and of discussing it with them before it is published as the decision of the Synod.

Chapter XXVI.

OF THE GENERAL COUNCIL— ITS NAME AND COMPOSITION.

Canon I.—The name of this Council shall be the General Council of the Church of India, Burma and Ceylon. The name of this Council may be altered in accordance with the provisions of these Canons and Rules for the alteration of a Canon, and if the name of this Church be altered in accordance with the provisions of Chapter IV of these Canons and Rules, the name of this Council shall be altered in a corresponding manner.

Canon II.—The General Council shall be composed of the Bishops of the Church of India, Burma and Ceylon, and of Clerical and Lay Representatives of the Church in the Dioceses thereof, and shall be divided into three Houses, namely the House of Diocesan Bishops (hereinafter called the House of Bishops) and the House of Clergy and the House of Lay Representatives.

Canon III.—Every fully organised Diocese which wishes that its Diocesan Council shall be represented by clergy and laity in the General Council must conform to the conditions laid down in Chapter XXXIV of these Canons and Rules and every Missionary Diocese which wishes such representation must conform to any conditions laid down for it at its formation or afterwards by the General Council; and so long as any Diocese conforms to the conditions which are applicable to it, it shall be entitled to representation in the General Council, and the number of its Representatives shall be fixed from time to time by Rules of this Council.

Rule 1.—Every fully organised Diocese which is entitled to representation in the General Council under Canon III of this Chapter shall be represented by not fewer than one Clerical and one Lay Representative. The whole number of Clerical Representatives in the General Council shall at first not exceed fifty and the whole number of Lay Representatives in the General Council shall at first not exceed fifty. The General Council may hereafter alter by Rule the total number of Clerical Representatives and Lay Representatives but so that the number of Representatives of each Order shall always be equal.

Rule 2.—The General Council shall cause to be issued at least every ten years an authoritative list of the number of Representatives to which each Diocese is entitled, and the last authoritative list so issued shall in each edition of these Rules be incorporated in the next ensuing Rule.

Rule 3.—The representation of the several Dioceses as fixed in 1922 and modified in 1928 is as follows:—

Diocese.	*Clergy.*	*Laymen.*
Nasik	2	2
Assam	1	1
Travancore	2	2
Chota Nagpur	2	2
Dornakal	3	3
Rangoon	3	3
Nagpur	3	3
Bombay	4	4
Lucknow	4	4
Colombo	4	4
Tinnevelly	4	4
Madras	4	4
Lahore	5	5
Calcutta	5	5

Rule 4.—The numbers of Clerical Representatives mentioned in Rule 1 and Rule 3 of this Chapter are exclusive of any Coadjutor or Assistant Bishop who may sit in the House of Clergy under the provisions of Chapter XXVII, Canon III.

Rule 5.—When a new Diocese is formed the General Council shall determine the number of representatives to which it will be entitled and shall amend the list of the numbers of representatives to which the several Dioceses are entitled by inserting the new Diocese in the list together with the number of representatives allowed to it, and by altering, if it be deemed necessary and advisable, the representation of other Dioceses or Diocese.

Rule 6.—If a Diocese be constituted between two meetings of the Council, and no provision for its representation has been made at the last session of the Council, the Metropolitan shall instruct the Bishop of the new Diocese to cause one Clerical and one Lay Representative to attend the ensuing session of the General Council and, if such representation brings the numbers of the Council beyond the limit at that time prescribed, the representatives of the new Diocese shall nevertheless sit *pro hac vice* and the Council at the session shall both fix the number of representatives of the new Diocese and re-adjust the number of representatives of the older Dioceses accordingly.

Rule 7.—No Missionary Diocese shall have more than one Clerical and one Lay Representative.

Rule 8.—The Clerical and Lay Representatives in the General Council of any Missionary Diocese shall be elected or appointed in such manner as the Bishop of the Diocese may direct, and he shall forward their names to the Metropolitan together with a certificate that they have been duly so elected or appointed.

Chapter XXVII.

OF THE GENERAL COUNCIL— ITS PRESIDENT AND MEMBERS.

Canon I.—The Metropolitan of the Province shall be the President of the Council, and the Rules shall provide for the presidency or chairmanship of the Council on any occasion of his absence.

Canon II.—The qualifications entitling a Bishop to sit in the House of Bishops are as follows, that is to say—

(*a*) he must at the time of the meeting of the Council be the Bishop of a Diocese of this Province who has been consecrated Bishop and whose election or appointment as Bishop of his Diocese has been confirmed by the Bishops of the Episcopal Synod as provided in Chapter IX of these Canons and Rules, or

(*b*) he must, having been elected or appointed to be a Coadjutor or Assistant Bishop in this Province and that election or appointment having been confirmed by the Bishops of the Episcopal Synod, have received a commission under the hand of his Diocesan Bishop to sit as a member of the House of Bishops in the absence of the said Diocesan Bishop, such commission being limited to a named session of the General Council or of the House of Bishops, or

(*c*) he must, being a Coadjutor Bishop in this Province, be acting as Vicar General under Chapter VII, Canon X.

Canon III.—The qualifications entitling a Bishop or a clergyman to sit in the House of Clergy are as follows, that is to say—

(i) if he be a Bishop,

(*a*) he must at the time of the meeting of the Council be a Coadjutor or an Assistant Bishop in some Diocese of this Province who has been consecrated Bishop and whose election or appointment as Coadjutor or Assistant Bishop has been confirmed by the Bishops of the Episcopal Synod as provided in Chapter IX of these Canons and Rules, and

(*b*) he must not at the time be entitled to sit in the House of Bishops as provided in the last preceding Canon;

(ii) if he be a clergyman,

(*a*) he must be a priest of the Diocese which he represents holding the licence of the Bishop of that Diocese, or a deacon of the Diocese which he represents holding the licence of the Bishop of that Diocese, provided that he be a voting member of the House of Clergy in the Diocesan Council of that Diocese, and

(*b*) he must have been elected by the Diocesan Council as one of its Representatives in the General Council, or if in any Diocese there be no Diocesan Council, by the method prescribed by Canon or Rule of the General Council for that Diocese.

Canon IV.—The qualifications entitling a lay person to sit in the House of Lay Representatives are as follows, that is to say—

(*a*) he must be an adult communicant member of the Church of the Province, and

(*b*) he must be resident or have his home, in the Diocese which he represents at the time of his election, and

(*c*) he must have been elected by the Diocesan Council as one of its Lay Representatives in the General Council, or if in any Diocese there be no Diocesan Council, by the method prescribed by Canon or Rule of the General Council for that Diocese.

Canon V.—Every person who shall be proved in the manner laid down in the Standing Orders of the Council to possess the qualifications required by Canons II, III and IV of this Chapter shall be entitled to sit, speak and vote in the Council.

Rules 1 to 4. Provision of absence of President.

Rule 1.—If the Metropolitan shall by reason of absence from the Province or inability to act have appointed a Vicar Provincial under Chapter XI, the Vicar Provincial shall for the period of his appointment act as the President of the Council.

Rule 2.—During the vacancy of the Metropolitical See the Vice-President of the Council shall act as President of the Council.

Rule 3.—In the absence of the Metropolitan or Vicar Provincial, as the case may be, during a session or any part of a session of the Council, the Vice-President shall preside at that session or that part of the session.

Rule 4.—If on any occasion both the President and the Vice-President of the Council be absent from any meeting of the Council, the Council shall elect a Bishop to preside during their absence.

Rule 5.—The commission to a Coadjutor or Assistant Bishop to sit as a member of the House of Bishops under Canon II of this Chapter shall entitle him so to sit for a whole session of the Council or of the House of Bishops, as the case may be, but he shall not be entitled by such a commission to sit as such member of the House of Bishops for one or more meetings of a session for the remainder of which his Diocesan Bishop is present, unless leave be granted to him so to sit by the House of Bishops by a majority of those present at the meeting or meetings.

Rule 6.—A Bishop who does not hold any episcopal charge shall for the purposes of Canon III of this Chapter be regarded as a clergyman and not as a Bishop.

Chapter XXVIII.

OF THE GENERAL COUNCIL—ITS POWERS.

Canon I.—The General Council shall deal with matters of common interest to the whole Province and with those which affect the communion of the Dioceses with one another and with the rest of the Church and shall leave the Diocesan Councils to deal with matters which concern only the members of the Church in each Diocese, and the ultimate decision of the question to which of the above classes of matters any particular subject belongs, shall rest with the General Council, which shall deal with it by enacting Canons or Rules, the application of which to any particular case shall, if disputed, be referred to the Committee of Reference.

Canon II.—The General Council shall have power to pass resolutions on any subject which may be regularly brought before it in accordance with the Canons and Rules subject to the provisions of Declarations 10 and 16 of the Constitution and these resolutions shall have the effect of advice, exhortation, explanation, instruction or expression of opinion, but not of legislation.

Canon III.—Nothing in any proceedings of the Council shall interfere with the exercise by the Episcopate of the powers and functions which belong to them in virtue of their office, nor shall anything contained in the Canons and Rules referring to the General Council or in the Regulations or Standing Orders of that Council be construed as justifying such interference.

Canon IV.—Subject to the provisions of Declarations 10 and 16 of the Constitution, the Council may deal with (or any House may initiate a resolution concerning) matters involving questions of Faith or Order, provided that before any resolution or proposed Canon or Rule on a matter involving a question of Faith or Order is put to the vote of the Council the House of Bishops shall, if it be so demanded in accordance with the Standing Orders, sitting separately, consider the resolution or proposed Canon or Rule, and shall settle the form in which it is to be put before the Council and the Council shall then either accept it or reject it without amendment.

Canon V.—The General Council has power to make Canons and Rules on the following subjects; (*a*) Determinations or Statements on questions of Faith or Order made by the Episcopal Synod with assessors, or judgements of the Court of the Episcopal Synod, or points taken from such Determinations, Statements or judgements, provided that the House of Bishops finally determine the form of such Canons and Rules as directed in Canon IV of this Chapter: (*b*) matters involving questoions of Faith or Order, subject to the proviso of Canon IV of this Chapter: (*c*) subject to the condition that every Diocese should be given representation in each House, the composition of its three Houses, and the election of its members, (*d*) alteration of the official name of the Council, and of the title of the Metropolitan Bishop, (*e*) the extent of the Province and of the several Dioceses thereof and the number of the Dioceses, (*f*) the division of this Church into two or more ecclesiastical provinces, and (*g*) all other matters, on which, in the opinion of the Council, Canons and Rules are required.

Canon VI.—If it be proposed that the General Council should in accordance with Canon V (*a*) of this Chapter make any Canon or Rule which embodies or is founded on the whole or any part of any Determination or Statement of the Episcopal Synod on a question of Faith or Order, or any judgement of the Court of the Episcopal Synod, it shall be competent for any member of the General Council to move that such Determination or Statement or judgement, together with the proposed Canon or Rule, be referred to the Central Consultative Body of the Lambeth Conference for its opinion and advice thereon,

and if this motion be supported by a majority of those present in any House or by one-third of all those present in the three Houses, the reference shall be made and the proposal shall not be proceeded with in the Council till either a reply from the Central Consultative Body has been received and considered by the Council or three years have elapsed without a definitive reply being received.

Canon VII.—The General Council has power to alter or repeal any Canon or Rule of this Church in accordance with the provisions of Chapter XLIV of these Canons and Rules.

Canon VIII.—Notwithstanding anything in the constitution or rules of any Diocesan Council or Diocesan Synod in this Province, if any such Diocesan Council or Diocesan Synod shall at any time pass a rule or rules whereby it expressly declares itself incapable of adding to, amending, varying or repealing any existing rule or rules thereof, or of making any new rule or rules, the General Council shall have power at any time to repeal every such rule in so far as it makes such a declaration.

Canon IX.—The General Council shall have full power to draw up, alter or repeal Standing Orders and any other instructions for the conduct of its business, or for the purpose of defining the times when and the places at which sessions or meetings of the Council or meetings of any separate House shall be held and the notice that shall be given of any such session or meeting, and all other matters incidental to the convening of any such session or meeting, provided that nothing in such Standing Orders or instructions for the conduct of its business shall be inconsistent with anything contained in the Constitution or in these Canons and Rules.

Canon X.—The General Council has power to give instructions to the Committees, Commissions, and Boards nominated or constituted by it, and to the Indian Church Trustees and to make any Regulations or By-laws necessary for giving effect to the Canons and Rules (if any) of this Chapter, and further from time to time to alter, suspend, repeal or add to such instructions, Regulations or By-laws.

Chapter XXIX.

OF THE GENERAL COUNCIL— THE CONDUCT OF ITS BUSINESS.

Canon I.—The following persons or bodies have the right to bring business before the Council under the conditions given below:—

(*a*) The Metropolitan may place any matter on the Agenda of the Council, and the Council shall consider all such matters as he places on the Agenda in the manner and with the procedure prescribed for each matter by these Canons and Rules and by Standing Orders.

(*b*) Each Diocesan Council may refer any matter to the General Council for its advice or action, and the General Council shall then deal with the matter referred as it shall think best.

(*c*) Each Diocesan Council may send in to the Metropolitan a resolution (whether in reference to some subject already on the Agenda or to fresh matter) which it wishes its Representatives to move in the General Council, and such a resolution, if it refer to a matter already on the Agenda, shall have a place on the Agenda, and if it refer to fresh matter it shall have a place on the Agenda subject to the approval of the Metropolitan, or, in default of his approval, if one other Diocesan Council informs the Metropolitan that its Representatives are instructed to support the resolution.

(*d*) The Bishop of a Missionary Diocese may, subject to the approval of the Metropolitan, exercise the rights which a Diocesan Council has under sections (*b*) and (*c*) of this Canon.

(*e*) If any matter shall have been referred by the General Council to the Diocesan Councils, any Diocesan Council or either House of any Diocesan Council or the Bishop of any Missionary Diocese may bring before the General Council resolutions or amendments relating to such matter.

(*f*) Any separate House of the General Council may bring business before the Council.

(*g*) Any committee, commission or board of the General Council, and the Indian Church Trustees, may bring business before the Council.

(*h*) The Episcopal Synod may send business to the Council.

(*i*) If any individual member wishes to propose a motion or to bring forward business at the General Council, he must first obtain the concurrence of four other members and then forward to the Metropolitan an application for a place on the Agenda containing the exact terms of the motion or resolution and signed by the five members, and it shall be in the power of the Metropolitan to grant or refuse this application at his discretion.

Canon II.—The three Houses of the Council shall sit together for deliberation and transaction of business, and each House may sit separately under such conditions as shall be laid down in the Rules of this Chapter and in the Standing Orders of the Council and the three Houses shall vote together unless a vote by Orders is required in the Constitution or in these Canons and Rules or in the Standing Orders or demanded in regard to a motion on which a vote by Orders is permitted by the Rules of this Chapter by at least such number of members of the Council as is from time to time prescribed in the Rules of this Chapter.

Canon III.—On any question with which under the provisions of Chapter XXVIII, the Council is competent to deal, a majority of the members of the Council present and voting shall suffice to constitute a vote of the Council, unless more than a majority be required in any case by these Canons and Rules or by the Standing Orders of the Council, or unless a vote by Orders is required by these Canons and Rules or by the Standing Orders of the Council or is demanded by the number of members of the Council to whom that right is given under Rules of this Chapter. Whenever a vote by Orders is taken, a majority in each House of those present and voting shall be required to constitute a vote of the Council, unless more than a majority be required by these Canons and Rules or by the Standing Orders of the Council.

Canon IV.—A majority of the members of the House of Bishops and a number equal to this in each of the other two Houses shall constitute a quorum of the Council. But for the opening of a session of the Council it shall further be necessary that at least one Clerical Representative be present from a majority of the Dioceses of the Province, and at least one Lay Representative from a majority of the Dioceses of the Province.

Rules 1 to 8. Rules for conduct of business.

Rule 1.—A vote by Orders shall always be taken when demanded by not fewer than five members of the Council, provided that a vote by Orders may not be demanded on any motion relating solely to the course of business or procedure.

Rule 2.—No quorum shall be required on a question of adjournment whether *sine die* or to a particular date, or on any other question of procedure which in the opinion of the President cannot be postponed without grave inconvenience.

Rule 3.—The absence of a quorum during any part of the proceedings of the Council shall not affect the validity of those proceedings unless the attention of the President is called to it at the time; and the absence of a quorum shall not affect the validity of a vote of the Council unless the attention of the President is called to it before the vote is taken.

Rule 4.—A Coadjutor or Assistant Bishop who is sitting in the House of Bishops under Canon II (*b*) of Chapter XXVII shall be reckoned as a member of the House of Bishops and not of the House of Clergy for the purposes of Canon IV of this Chapter.

Rule 5.—Informality in or incompleteness or absence of the representation of any Diocese shall not prevent the General Council from proceeding to the despatch of business nor vitiate any resolution which it may pass or any action which it may take.

Rule 6.—All other points concerning the composition of the Agenda of the sessions of the Council, and the time and manner of its circulation, and the preparation of business for the Council and the determination of the order of business shall be settled by Standing Orders.

Rule 7.—All other necessary directions for the conduct of the business of the Council which are not contained in this or the two next following Chapters shall be given in the Standing Orders of the Council.

Rule 8.—It shall be necessary to the enactment, alteration or repeal of any Regulation or Standing Order that notice of such proposed enactment, alteration or repeal shall have been given in an Agenda paper of the General Council issued not less than one month before the first meeting of the session of the Council.

Any member of the Council may, after notice, or by the permission of the President, without notice, move to suspend any specified Standing Order, or part thereof, either as regards any particular business or generally during a particular meeting of the Council.

Rule 9.—Two Books of Record shall be kept by the Secretary of the Council, the one containing only the final decisions of the Council, relating to Declarations, or to Canons, or to Rules; the other containing, besides such decisions, any matter which the Standing Orders may direct to be included in the Books of Record of the Council. Everything contained in either book, whether written or printed, shall be authenticated as correct by the signature of the Metropolitan and two other members of the Standing Committee.

Chapter XXX.

OF THE GENERAL COUNCIL— THE ENACTMENT OF CANONS AND RULES AND THE PASSING OF SPECIAL RESOLUTIONS.

Canon I.—It shall be necessary to the enactment of a new Canon (*a*) that the proposed Canon shall have been considered and passed at two sessions of the General Council separated by a reasonable interval, and (*b*) that after the first passing it shall have been communicated to every Diocesan Council in such a manner as to afford a reasonable opportunity to that Council to consider and, if it so desire, to report upon the proposed Canon, and (*c*) that any reports that may have been made by Diocesan Councils shall have been considered by the General Council before the taking of the second vote on the proposed Canon, and (*d*) that upon the second consideration by the General Council, the proposed Canon shall not have been amended in such a manner as to enlarge its scope by the importation of fresh subject matter or to alter it so greatly that it has become, to all intents and purposes, a new Canon, and (*e*) that the Canon as finally passed shall not be inconsistent with the Constitution or any Declaration thereof,

provided that if a proposed Canon, on being communicated to every Diocesan Council after being considered and passed for the first time by the General Council, be accepted by all the Diocesan Councils without amendment, it shall not be necessary that it be again considered and passed by the General Council.

Canon II.—When a new Canon has been enacted it shall be promulgated in S. Paul's Cathedral, Calcutta, on the first Sunday after the termination of the session of the General Council at which it was enacted, and shall be communicated by the Metropolitan to every Diocesan Bishop, and shall also be promulgated by each Diocesan Bishop or by some person authorised by him to do so on his behalf in the Cathedral of his Diocese as soon as possible after he has received the above-mentioned formal communication from the Metropolitan, and shall be announced to each Diocesan Council at the next ensuing session of that Council.

If a Canon after being passed for the first time by the General Council shall have been accepted by all the Diocesan Councils without amendment, it shall be promulgated in S. Paul's Cathedral, Calcutta, on the first Sunday after the Metropolitan has received the report of the last Diocesan Council which considered it, and shall thereupon as prescribed above, be communicated to every Diocesan Bishop and promulgated by each Diocesan Bishop in the Cathedral of his Diocese and announced to each Diocesan Council.

Canon III.—It shall be necessary to the enactment of a new Rule (*a*) that notice of the proposal to enact such a Rule together with the form of the Rule proposed shall have been printed on an Agenda paper of the Council and issued by the Metropolitan to the Diocesan Councils not less than three months before the first meeting of the session of the General Council, and (*b*) that it shall have been considered and passed by the Council at that session, and (*c*) that the proposed Rule shall not have been amended in the General Council in such a manner as to enlarge its scope by the importation of fresh subject matter or to alter it so greatly that it has become, to all intents and purposes, a new Rule, and (*d*) that the Rule as finally passed shall not be inconsistent with any Canon of this Church or with the Constitution or any Declaration thereof.

Canon IV.—The method whereby the General Council may repeal any rule in the constitution of any Diocesan Council which the General Council has power under Canon VIII of Chapter XXVIII to repeal shall be that a resolution declaring that such rule is repealed be passed by the Council.

Canon V.—Where it is directed in this Chapter or elsewhere that a proposed Canon be communicated to every Diocesan Council, such Canon shall also be communicated to the Bishop of every Missionary Diocese, and if any other matter be referred by the General Council to the Diocesan Councils, such reference shall also be made to the Bishop of every Missionary Diocese, and in either case the Bishop shall consult such persons or bodies in his Diocese as he may think fit.

Chapter XXXI.

OF THE GENERAL COUNCIL—ITS OFFICERS AND COMMITTEES.

Canon I.—The General Council at each ordinary session (*a*) shall appoint—

(1) a Vice-President,

(2) officers of the Council,

(3) a Standing Committee,

(4) panels of persons who may be summoned to serve on the Committee of Reference,

(5) panels of persons who may be summoned to serve as assessors to the Episcopal Synod,

(6) panels of persons who may be summoned to serve on the Court of the General Council,

(7) the Statutory Rules Board,

(8) when necessary, Indian Church Trustees,

and (*b*) may appoint—

(1) any Committee or Committees of the Council under any name that may seem desirable to deal with any business that the Council may commit to it or them,

(2) any Commission or Commissions consisting of communicant members of the Church of the Province or of some Church in communion therewith, whether members of the Council or not, to transact any specified piece of business or to investigate any specified subject and upon the termination of such transaction or investigation to report to the Council,

(3) any Board or Boards consisting of communicant members of the Church of this Province or of some Church in communion therewith, whether members of the Council or not, to deal with any specified matter or subject as a permanent Board for administration, advice, study or report.

Canon II.—The General Council may at a special session, if necessary, fill up vacancies in any of the appointments named in Canon I.

Canon III.—The General Council has power at any session, whether ordinary or special, to appoint officers of the session and committees to facilitate the business of that session as the Rules and Standing Orders may direct, or as it may seem good to the Council from time to time.

Rule 1.—The Vice-President of the Council shall be a Bishop of this Province.

Rule 2.—(*a*) The General Council shall have power to appoint any officers whom it may require, and to settle by Rules or Regulations the terms and conditions of their appointments. Such officers may be either members of the Council or not members of the Council, provided that if any such officer be not a member of the Council, he shall not vote or, unless called upon by the President or Chairman, speak, in the meetings of the Council.

(*b*) The officers of the Council shall be at the least a Secretary and a Treasurer, who shall be appointed at the close of each ordinary session of the Council and shall hold office till the close of the next ordinary session.

Rule 3.—The composition and duties of the Standing Committee shall from time to time be laid down by the General Council in its Regulations.

Rule 4.—The appointment of persons who may be summoned to serve on the Committee of Reference shall be conducted according to Chapter XXXIII of these Canons and Rules.

Rule 5.—The panels of Assessors to the Episcopal Synod shall be chosen as follows:—

(*a*) Priests of this Province holding the licence of some Diocesan Bishop shall be chosen by the House of Clergy, and the panel of clergy thus constituted shall number not less than twice the number of the Bishops on the Episcopal Synod;

(*b*) Communicant members of the Church of this Province shall be chosen by the House of Lay Representatives, and the panel of laymen thus constituted shall be not less in number than the number of the Bishops on the Episcopal Synod.

Rule 6.—The Standing Committee of the General Council may fill up vacancies in the panels of assessors to the Episcopal Synod which may be caused by death, resignation, or any other reason.

Rule 7.—The panels of persons who may be summoned to serve on the Court of the General Council shall be chosen as follows:—

(*a*) not fewer than sixteen priests of this Province holding the licence of some Diocesan Bishop, by the House of Clergy and

(*b*) not fewer than sixteen laymen, being communicant members of the Church of this Province, by the House of Lay Representatives.

Rule 8.—Indian Church Trustees shall be such persons as the provisions of Chapter XXXVI direct.

Rule 9.—The General Council shall by Regulation or resolution give any instructions that may be necessary to any Committee of the Council concerning its work.

Rule 10.—The General Council shall either by resolution or Regulation lay down terms of reference for all Commissions and Boards which it may appoint, and give any other instructions to them that may be necessary concerning their work.

Rule 11.—The General Council has power to make Standing Orders concerning officers of the session and to appoint from time to time any officers of the session who may seem desirable though they be not provided for in the Standing Orders, and also to appoint and instruct any Committees which may seem desirable to facilitate the business of the session and to frame Standing Orders or special instructions concerning their duties.

Chapter XXXII.

OF THE GENERAL COUNCIL—ITS PROPERTY AND FINANCE.

Canon I.—The General Council may delegate to any Board or Committee or other body, either specifically as the case may require, or under such general regulations as may from time to time be laid down by the General Council, any powers which may be required for the management of property.

Canon II.—The General Council shall have power to give such instructions to the Indian Church Trustees as may be necessary concerning the property of any description which they may hold on its behalf.

Canon III.—The General Council shall have power to assess the Diocesan Councils for the contingent expenses of the meetings of the bodies which represent the central authority of the Church of this Province, that is to say, the General Council and its Committees, Commissions and Boards and the Episcopal Synod and its Assessors and the Committee of Reference and the Courts of the Province, and by contingent expenses shall be understood the printing, postage, and other necessary expenses connected with the business of the meetings of those bodies and the travelling expenses of persons summoned to attend those meetings as members of the bodies named and also, in the case of the Courts, the other expenses expressly ordered to be defrayed in these Canons and Rules.

Rule 1.—The Treasurer shall keep the accounts of the monies received and expended on behalf of the Council and shall prepare and submit to the Council at each session a budget of the expenses of the Council up to and including the next ordinary session, and a proposed schedule of the quotas to be paid by each Diocesan Council under Canon III of this Chapter.

Chapter XXXIII.

OF THE COMMITTEE OF REFERENCE.

Canon I.—The Committee of Reference shall act as a quasi-judicial tribunal for the decision of points of doubt which may arise concerning the Constitution, Canons and Rules and their interpretation, especially with the purpose of securing correct observance of these Canons and Rules in legislative or other action taken by any of the Councils of the Church and the solution of difficulties between the General Council and the Diocesan Councils with regard to their mutual rights and obligations, and it shall also deal with such other questions as the Canons or Rules may from time to time direct.

Canon II.—The Committee of Reference shall consider and decide, as provided in Chapters XL and XLI the question, if such arise, whether an appeal from a decision of a Diocesan Court or Bishop or a charge preferred against a Bishop is or is not to be dealt with as a case concerning Faith or Order.

Canon III.—The Committee of Reference shall also consider and decide, as provided in Chapter IX, objections alleging invalidity, irregularity or informality in the election or appointment of a Bishop.

Canon IV.—The Committee of Reference shall on each occasion on which it is called upon to sit be constituted by the Metropolitan from panels of Referees chosen from time to time by the General Council, and shall consist of the Metropolitan, or if he be unable to sit or disqualified from sitting, the Vice-President of the Council, as Chairman, and two other Bishops and two clergy and two laymen.

Rule 1.—(*a*) Each of the Houses of the General Council shall at each ordinary session choose by ballot seven persons who may be summoned by the Metropolitan when need shall arise to constitute the Committee of Reference.

(*b*) The House of Bishops shall choose seven Bishops.

(*c*) The House of Clergy shall choose seven clergy of the Province, each of whom must be a priest holding the licence of some Diocesan Bishop of the Province, and must not be an officer of the General Council.

(*d*) The House of Lay Representatives shall choose seven laymen, each of whom must be a communicant member of the Church of this Province, and must not be an officer of the General Council.

Rule 2.—The Metropolitan in constituting the Committee of Reference on any occasion shall summon persons from each panel so as to secure the attendance from them of two Bishops and two clergy and two laymen, provided that—

(*a*) in the event of a question between a Diocesan Council and the General Council with regard to their respective rights of action and their mutual relationship, or a question with regard to the invalidity, irregularity or informality of the election of any Bishop, the Metropolitan shall not summon the Bishop or any other person belonging to the Diocese concerned, nor shall he preside or sit on the Committee if the Diocese of Calcutta be the Diocese concerned; and

(*b*) in the event of a question concerning an appeal to the Courts of Appeal of the Province in the matter of any clergyman or concerning the trial of any Bishop, the Metropolitan shall not preside or sit on the Committee, and it shall be summoned by the Vice-President of the General Council, and the said Vice-President shall not summon to the Committee any person belonging to the Diocese to which the said clergyman or Bishop belongs.

If under proviso (*a*) above the Metropolitan be disqualified from summoning the Committee of Reference, the Vice-President of the General Council shall do so, and if the Vice-President be unable to act or disqualified from acting, under either (*a*) or (*b*) above, then that Diocesan Bishop of the Province who is senior by consecration or next senior to the Vice-President, as the case may be, and is himself qualified and present in the Province, shall summon the Committee, and, if present, himself preside over it.

If, either on account of these provisos or of the inability of persons on any of the panels to attend, the Metropolitan or other Bishop whose duty it is under this Rule to summon the Committee, is unable to obtain the attendance of two Bishops, two clergy and two laymen, he shall himself select some other person or persons who shall possess the qualifications stated in Rule 1 to be necessary for the membership of the Committee of Reference and summon him or them to sit.

Rule 3.—When the Provincial Committee of Reference is thus constituted, four shall form a quorum for the transaction of business. In the absence from the Committee of both the Metropolitan and the Vice-President of the Council, the Committee shall elect a Chairman for itself for that meeting.

Rule 4.—The Committee of Reference shall consider and decide the following questions:—

(*a*) any questions with regard to the respective rights of action and the mutual relationship of the General Council and any Diocesan Council which may be referred to it under Chapter XXVIII, Canon I and Chapter XXXIV, Canon VII, by either the General Council or the Diocesan Council concerned;

(*b*) any question as to whether any part of the constitution, rules and regulations of any Diocesan Council or anything in the proceedings of any session of any Diocesan Council is contrary to any Declaration of the Constitution or any Canon or Rule, whether such question be referred to the Committee by the Diocesan Council concerned or by the Bishop of such Diocese or by the Metropolitan;

(*c*) any question under the heads mentioned in sections (*a*) or (*b*) above which the Committee itself may raise in its examination of the constitution, rules and regulations of any Diocesan Council under Rule 5 of this Chapter;

(*d*) the question which may be referred to the Committee as to whether any matter is or is not either a question of Faith or Order or a matter involving a question of Faith or Order;

(*e*) the question which may be referred to the Committee as to whether any Canon as amended and passed on the second occasion of its consideration should be deemed to be a new proposal;

(*f*) the question which may be referred to the Committee under Chapter XLIV, Rule 1 as to whether any proposed alteration, amendment or repeal of any Canon or Rule is inconsistent with any Declaration of the Constitution or any Canon respectively;

(*g*) any questions referred to the Committee by the Metropolitan concerning the invalidity, irregularity or informality of the election of any Bishop;

(*h*) the question which may be referred to the Committee by the Metropolitan concerning appeals made to the Courts of Appeal of the Province as provided in Chapter XL, Rule 5;

(*i*) the question which may be referred to the Committee by the Metropolitan concerning accusations made against a Bishop of the Province as provided in Chapter XLI, Rule 9;

(*j*) any other similar matters which may be referred to the Committee by the Metropolitan or the General Council or any Diocesan Council or any Bishop of the Province, provided that unless it be ordered in these Canons and Rules or by resolution of the General Council that the Committee shall give a decision on any matter, they shall only consider and report their opinion on any matter that may be referred to them.

Rule 5.—The Metropolitan shall bring before the Committee of Reference the constitution, rules and regulations of each Diocesan Council on these being submitted to him under Chapter XXXIV, Canon XII, and also the resolutions and other proceedings of each session of each Diocesan Council on these being submitted to him under Chapter XXXIV, Canon XIII, and the Committee shall examine such constitutions, rules and regulations and proceedings and shall report to the General Council whether they are in conformity with the Canons and Rules and in particular with the conditions laid down in Chapter XXXIV, Canons I to XI, and the decisions of the Committee, if any, made under Rule 4 (*a*), (*b*) or (*c*) of this Chapter.

Rule 6.—All references to the Committee of Reference and all reports by that Committee of their decision or opinion on any matter shall be made through the Metropolitan.

Rule 7.—The Metropolitan shall arrange for the consideration of the proceedings of Diocesan Councils by the Committee of Reference in such a way that the General Council may at each ordinary session receive a report from the Committee of Reference on the proceedings of Diocesan Councils which may have met since the last ordinary session of the General Council and on any proceedings of Diocesan Councils which preceded that session but were from lack of time or any other cause not included in the Committee's report to that session.

Chapter XXXIV.

OF DIOCESAN COUNCILS.

Canon I.—Every fully organised Diocese has a Diocesan Council consisting of the Diocesan Bishop, a House of Clergy and a House of Lay Representatives (otherwise called House of Laity). The agreement of the Bishop and of the House of Clergy and of the House of Laity, whether shown by a vote of the whole Council or by a vote by Orders, is necessary to the validity of any act of the Diocesan Council.

Canon II.—The House of Clergy of every Diocesan Council shall include Coadjutor or Assistant Bishops working in the Diocese (if any) and all the priests of the Diocese holding the Bishop's licence and regularly discharging the care of souls in the Diocese, and may include other clergy of the Diocese, whether Bishops, priests or deacons. At least three-fourths of the members of the House of Laity shall be elected, and all who vote for their election (as well as the Lay Representatives themselves) shall be adult communicant members of the Church of the Province.

Canon III.—Every member of a Diocesan Council shall on his election or appointment sign a declaration that he is a communicant member of the Church of this Province and assents to the Constitution and agrees to be bound by the Canons and Rules of this Church and by the constitution, rules and regulations of the Diocesan Council of which he becomes a member.

Canon IV.—The Diocesan Bishop shall be *ex-officio* Chairman of the Diocesan Council.

Canon V.—There shall be in the constitution of every Diocesan Council some provision under which a vote by Orders must be taken if demanded by even a small number of members of the Council.

Canon VI.—No resolution or decision of a Diocesan Council (except one made under the provisions of Chapter VIII) shall be valid unless and until it has received the assent of the Bishop, or if he shall have refused his assent and an appeal have been made to the House of Bishops of the General Council, the assent of a majority of that House.

Canon VII.—Every Diocesan Council shall recognise by clauses in its constitution that the General Council has power to deal with matters of common interest to the whole Province and with those that affect the communion of the Dioceses with one another and with the rest of the Church, and that the normal duty of a Diocesan Council is to deal with matters which concern only its own Diocese; and that the ultimate decision of the question to which of the above classes of matters any particular subject belongs rests with the General Council, which will deal with the principles of such matters by Canons or Rules, while the application of the Canons and Rules to any particular case which may be disputed shall be decided by the Committee of Reference, and that when in either way a decision has been given that any matter is not within the competence of a Diocesan Council the Diocesan Council will not deal with the matter except either by way of address to the General Council or of reply to a reference from the General Council.

Canon VIII.—Subject only to the provisions of this Chapter, and of Canon IV of Chapter XIII, and of Chapter XVII, each Diocesan Council shall be the ultimate financial authority for the expenditure of all monies collected by it or committed to its control or management, and shall in its constitution make provision for the effective discharge of its responsibility for the finance of the Diocese.

Canon IX.—Every Diocesan Council shall advise the Bishop of the Diocese and the General Council on all matters, including questions of Faith or Order and matters involving such questions, which may be submitted to it by the Bishop or the General Council, and may approach the Bishop of the Diocese or the General Council or the Episcopal Synod by way of petition on any matter with which the Bishop, the Council or the Synod, as the case may be, is competent to deal.

Canon X.—Nothing in the constitution, rules and regulations of any Diocesan Council may be contrary to any Declaration of the Constitution or any Canon or Rule of the Church of this Province, and if the Committee of Reference shall under Chapter XXXIII, Rule 4 decide that any part of the constitution rules or regulations of any Diocesan Council is contrary to any Declaration, Canon or Rule, such part of the constitution, rules or regulations of that Diocesan Council shall to the extent stated by the Committee be deemed to have been void *ab initio*, but without prejudice to the validity of any action authorised by such part of the constitution, rules or regulations which had been taken before the decision of the Committee of Reference had been received by the Bishop of the Diocese.

Canon XI.—No resolution contravening any Declaration of the Constitution or any Canon or Rule of the Church of this Province shall be proposed in a Diocesan Council except in the form of a motion to be brought before the General Council that such Declaration, Canon or Rule be rescinded or altered, and if the Committee of Reference shall under Chapter XXXIII, Rule 4 decide that anything in the proceedings of any session of a Diocesan Council is contrary to any Declaration, Canon or Rule, such proceeding of that Diocesan Council shall to the extent stated by the Committee be deemed to have been void *ab initio*, but without prejudice to the validity of any action authorised by such proceeding which had been taken before the decision of the Committee of Reference had been received by the Bishop of the Diocese.

Canon XII.—Subject to the provisions of this Chapter, every Diocesan Council has power to frame its own constitution, rules, regulations, and standing orders, but these and any alteration in them or addition to them made from time to time shall be submitted to the Committee of Reference through the Metropolitan.

Canon XIII.—Every Diocesan Council shall submit to the Metropolitan an accurate record of all its resolutions and its other proceedings, which shall be laid on the table at the next session of the General Council together with the report of the Committee of Reference upon them.

Canon XIV.—Every Diocesan Council shall defray from its funds such a quota as the General Council shall assess to it of the contingent expenses of the meetings of the bodies which represent the central authority of the Church of this Province, that is to say, the General Council and its Committees, Commissions and Boards, and the Episcopal Synod and its Assessors and the Committee of Reference and the Courts of the Province, and by contingent expenses shall be understood the printing, postage and other necessary expenses connected with the business of the meetings of those bodies, and the travelling expenses of persons summoned to attend those meetings as members of the bodies named, and also, in the case of the Courts, the other expenses expressly ordered to be defrayed in these Canons and Rules.

Canon XV.—Every Diocesan Council shall under its constitution adopt rules and regulations for the establishment of Diocesan Courts and the procedure therein in accordance with the Canons and Rules of the Church of this Province for the Discipline of the Laity and of the Clergy. All such rules and regulations and any alterations in them or additions to them made from time to time shall be submitted to the Church Courts Procedure Committee, and if that Committee shall make proposals for the alteration of any such rules and regulations and the Diocesan Council concerned do not wish to accept such proposed alterations, the matter shall be referred to the House of Bishops, whose decision shall be final.

Rule 1.—Subject to the provisions of Appendices A. 1 and A. 3 to these Canons and Rules, it is competent to any Diocesan Council to make rules regarding the membership of deacons in the Council, and, if some or all of the deacons working in the Diocese are thus included in the House of Clergy, regarding their powers of voting. But such rules must provide that the deacons may not in a vote by Orders cast a number of votes greater than one-tenth of the number of priests who are members of the Council.

Rule 2.—It is competent to any Diocesan Council to define whether the term "members" includes women as well as men; and also to define the words "communicant member" so long as the Diocesan definition is consistent with the definition given in Chapter XLV of these Canons and Rules.

Rule 3.—Every Diocesan Council shall hold a new election of Representatives for each ordinary session of the General Council and shall determine the date of such election by its own convenience, but the Representatives of each Diocese elected for any ordinary session shall hold office till the day before the first meeting of the next ordinary session, provided always that the Agenda and other papers relating to the next session of the General Council shall be sent to the Representatives who will attend that session.

Example.—If the ordinary sessions take place every three years, say 1933, 1936, etc., Representatives elected for 1933 would be in office till the day before the first meeting in 1936, and would continue to be members of Committees or Boards of the Council and to be the members who would be summoned to any special session of the Council even if in (say) 1934 they were not re-elected by their Diocesan Councils to serve at the ordinary session of 1936, but the papers relating to the ordinary session of 1936 would be sent to the Representatives elected for that session.

Rule 4.—Every Diocesan Council shall make rules for the election of the Clerical and Lay Representatives which it proposes to send to the General Council, provided that all

Representatives elected by it must possess the qualifications for membership of the House of Clergy and of Lay Representatives respectively which are laid down in Chapter XXVII of these Canons and Rules.

Rule 5.—Each Diocesan Council shall provide machinery by which, if an elected Representative of that Diocese shall at any time during his term of office cease to possess the qualifications necessary for a Diocesan Representative under Chapter XXVII, or be unable to attend any session of the General Council, or resign or die, a Representative shall be chosen with the least possible delay to serve for the remainder of his term of office, and the name and address of such substituted Representative shall be reported forthwith to the Metropolitan; and if any Diocesan Council shall fail to provide such machinery, the Bishop of the Diocese shall choose a Representative to fill the vacancy in the list of the Representatives of the Diocese and shall report his name and address to the Metropolitan. The same procedure shall be followed if one of the elected Representatives ceases to be qualified between the date of his election and the commencement of his term of office.

Rule 6.—The names of the elected Representatives of each Diocese shall be forwarded to the Metropolitan together with a certificate of election signed by the Diocesan Bishop or his Commissary and by some officer of the Diocesan Council that the elections were held on a certain date in due form and resulted in the election of the persons whose names are attached, and a similar certificate shall be given with reference to substituted Representatives under Rule 5.

Rule 7.—The Bishop of each Diocese shall send to the Metropolitan and to the Secretary of the General Council one copy each of the resolutions and other proceedings of each session of the Diocesan Council.

Rule 8.—Every Diocesan Council shall at each ordinary session appoint a panel of clergy elected by the House of Clergy and a panel of laity, who shall be communicant members of the Church of this Province, elected by the House of Laity, from whom the Bishop may summon assessors to sit on the Diocesan Court to hear cases brought against clergymen of the Diocese.

Rule 9.—At the first meeting after each periodical election the Diocesan Council shall appoint some person to act as clerk of the Diocesan Court, and shall make provision for the appointment of a substitute, should he be unable to attend on any occasion when it is assembled.

Rule 10.—If a Diocesan Bishop shall have refused his consent to a resolution or decision of his Diocesan Council, and an appeal against that refusal have been made to the House of Bishops of the General Council, that House shall hear representatives of the Diocesan Council, if any such be sent, in support of their appeal, before voting upon the appeal.

Chapter XXXV.

OF DIOCESAN SYNODS.

Canon I.—Acknowledging the ancient right of the Bishop and clergy of any Diocese to meet and take counsel together, the Church of this Province recognises every Diocesan Synod which conforms to the provisions of this Chapter.

Canon II.—Every such Diocesan Synod shall consist of the Bishop of the Diocese, who shall preside, and all clergy of the Diocese holding the Bishop's licence.

Canon III.—All members of the Synod shall have the right to address the Synod on any matter under discussion, but only the Bishop and the clergy in priest's orders shall have the right to vote.

Canon IV.—Every Diocesan Synod has the right to advise the Bishop of the Diocese and the Episcopal Synod on such questions of Faith and Order and such matters involving questions of Faith and Order as may be submitted to them by the Bishop or by the Episcopal Synod through the Bishop, and to approach the Bishop of the Diocese or the Episcopal Synod by way of petition on questions of Faith or Order or on matters involving such questions, including particularly matters concerning the worship and discipline of the Church.

Canon V.—A simple majority of the clergy in priest's orders present and voting, together with the assent of the Bishop, shall be required to constitute a vote of any Diocesan Synod, unless more than a simple majority be required on any subject or class of subjects by the rules or by a special resolution of the Synod.

Canon VI.—Subject to the above Canons of this Chapter, every Diocesan Synod shall have power to frame its own constitution, rules and regulations, but these, and any alteration in them or addition to them made from time to time, shall be submitted to the Committee of Reference through the Metropolitan.

Canon VII.—Every Diocesan Synod shall submit to the Metropolitan a record of all its resolutions and its other proceedings, which shall be laid on the table at the next session of the Episcopal Synod.

Canon VIII.—Every resolution of a Diocesan Synod shall be subject to review and confirmation or annulment by the Episcopal Synod, except either such resolutions as deal with matters which under the Constitution and these Canons and Rules a Bishop is competent to decide within his own Diocese or such as are in the form of petitions or replies to the Episcopal Synod.

Canon IX.—The powers of Diocesan Synods stated in this Chapter shall not be so understood as to derogate from, or restrict any of, the rights given to Diocesan Councils by the Constitution and by these Canons and Rules.

Chapter XXXVI.

OF CHURCH PROPERTY AND TRUSTS AND TRUSTEES.

Canon I.—The powers of the Indian Church Trustees are defined by the Charter incorporating them granted by His Majesty in Council on the 11th June 1929, and their qualifications and actions regulated by the schedule of rules attached to that Charter, which are quoted below.

This definition of powers and these rules were made in response to a petition sent by the General Council to His Majesty, and this Church on its part accepts them by this Canon. If any alteration be desired in them, the petition for a supplementary Charter by which such alteration may be made must be framed and adopted by the same procedure as in these Canons and Rules is required for the alteration of a Canon, and shall be submitted to His Majesty in Council by the Metropolitan on behalf of the General Council.

(*The following are the operative clauses of the Charter and the rules scheduled thereto.*)

"NOW KNOW ALL MEN BY THESE PRESENTS that We of Our especial Grace certain knowledge and mere motion by and with the advice and consent of Our Privy Council do for Us Our Heirs and Successors grant constitute declare and appoint that the said above-named persons so appointed by the said General Council as aforesaid and their Successors to be appointed as hereinafter mentioned shall forever hereafter be one body Corporate and Politic by the name of the Indian Church Trustees and by such name shall have perpetual succession and a Common Seal with such stamp and inscription to be made and engraved thereon as they shall think proper with power to break alter or renew the said seal from time to time and by such name shall and may sue and be sued in all Courts whatsoever and wheresoever holden of Us Our Heirs and Successors in all actions suits plaints and demands whatsoever.

AND WE DO ALSO HEREBY for Ourself and Our Successors license authorise and forever hereafter enable the said Indian Church Trustees (hereinafter referred to as the Trustees) to acquire (by purchase or otherwise) receive and hold any lands tenements or hereditaments whatsoever or interests therein (notwithstanding the Statutes of Mortmain) and any investments money goods chattels or other personal property which may be transferred or paid to the Trustees pursuant to the Indian Church Act 1927 and the rules framed thereunder or which may be assured given devised or bequeathed to the Trustees by any person or persons company corporation (whether sole or aggregate) or body politic capable of making an assurance gift devise or bequest thereof for the uses or purposes of the Indian Church or any part or parts thereof or upon any special Trusts.

AND WE GRANT AND ORDAIN that the Trustees shall exercise all the powers and perform all the functions and duties intended by the Indian Church Act 1927 to be exercised and performed by the Trustees AND WE GRANT AND ORDAIN that the Trustees shall hold all property which shall become vested in them (other than property vested in them pursuant to the Indian Church Act 1927 and the rules framed thereunder or upon any special trusts) subject to such directions as the said General Council shall have given or shall from time to time hereafter give with respect to the trusts objects and purposes upon or for which any of such property is to be held or applied and the investment and sale leasing exchange transfer dealing and management thereof and the person or persons by whom all or any of the powers of management are to be exercised and as shall not be inconsistent with or in violation of the Indian Church Act 1927 and the rules framed thereunder or the Indian Church Measure 1927 and shall hold all property vested in the trustees pursuant to the Indian Church Act 1927 and the rules framed thereunder or assured given devised or bequeathed to them upon any special trusts upon the trusts and with and subject to the powers and provisions affecting the property so vested or declared or created by or by virtue of such assurance gift devise or bequest or to the terms and conditions of any scheme framed as hereinafter mentioned but subject nevertheless in all things not expressly directed or required by such trusts powers and provisions or the terms and conditions of a scheme so framed as aforesaid to such directions as the General Council shall have given or shall from time to time hereafter give with respect to all or any of the matters and things aforesaid.

AND WE ORDAIN AND DECLARE that the Trustees shall in all matters be subject to the order and control of the General Council.

AND WE ORDAIN AND DECLARE that the provisions contained in the Schedule hereto shall have effect with respect to the composition of the Trustees and the qualification election co-option nomination removal and retirement of the members thereof and the procedure and functions thereof.

AND LASTLY WE DO BY THESE PRESENTS GRANT to the Trustees that these Our Letters Patent and all and singular the matters and things in the same contained shall be good and valid in law according to the true intent and meaning of the same and shall be taken construed and adjudged in the most favourable and beneficial sense and for the best advantage of the Trustees in all Our Courts and elsewhere by all Judges Justices Officers Ministers and other subjects of Us Our Heirs and Successors any omission effect or thing whatsoever to the contrary notwithstanding."

Schedule of Rules.

1. Every person appointed to be one of the Indian Church Trustees (hereinafter called "the Trustees") shall have such qualifications and shall hold office for so long as the General Council shall from time to time direct.

2. The number of the Indian Church Trustees shall be such number not less than three nor greater than thirty as the General Council shall from time to time direct, and if at any time any one or more of the Indian Church Trustees shall for any reason cease to be a Trustee, the trusts and powers vested in the Trustees shall devolve upon and be exercised by the survivors until new Trustees are appointed.

3. Any vacancy which may occur shall be filled by the Council and may be filled if the General Council be not in session by any method which the General Council shall direct.

4. The quorum required for any meeting of the Indian Church Trustees shall be not fewer than three present throughout the meeting, provided that if the General Council appoint a larger number of Trustees than ten it may direct a larger quorum than three.

5. Every appointment of new Trustees shall be evidenced by a memorandum in such form and attested by such persons as the General Council shall from time to time direct.

6. No act or deed of the Trustees shall be valid unless done or executed by more than one Trustee.

7. The seal of the Indian Church Trustees shall be in the custody of such person as the General Council shall from time to time direct, and shall not be affixed save in the presence of the person having such custody for the time being and at least two of the Trustees.

8. The consent of the trustees to accept any property shall be a condition precedent to such property vesting in them. The Trustees shall not give such consent unless authorised to do so by the General Council. This rule shall not apply in the case of any property which vests in the Trustees by virtue of sub-section (3) of section 6 of the Indian Church Act 1927.

9. The General Council shall have power to delegate its powers and functions under the Charter to such person or persons and for such periods as it may from time to time direct and to rescind or vary all such directions.

10. (*a*) The General Council shall have power to give directions as to the person or persons by whom all or any of the powers of management may be exercised with respect to any property vested in the Trustees and to rescind or vary all such directions: provided that no such direction shall be valid if and in so far as it is in conflict with the provisions of any special trust, or of the Indian Church Act 1927 and the rules framed thereunder, or of any scheme settled under section 8 of that Act.

(*b*) When the General Council authorises the Trustees to consent to the vesting in them of any property and gives no express direction as to the exercise of the powers of management of such property the person, persons or class or description of persons who would have been entitled to exercise such powers if such vesting had not taken place shall be entitled, notwithstanding such vesting, to exercise such powers until the General Council otherwise directs.

11. If the General Council shall have appointed a body of persons for the purpose the majority of whom are either judges of a Superior Court in India, Burma or Ceylon or persons qualified to practise in such Courts, the Trustees may refer to such body any case in which, in their opinion, it has become impossible or impracticable to apply the income of any property vested in them to the purpose or any one or more of the purposes to which it has been theretofore applied, and such body, after taking the case into consideration, in accordance with rules made by the General Council, may frame a scheme for the administration of such property analogous to the objects, purposes or provisions for and subject to which such property was originally vested in the Trustees and the same shall thereupon become binding on the Trustees.

12. Where under these rules any consent, authority or direction is required or permitted to be given the General Council shall have power from time to time to prescribe the form and manner in which it shall be given: provided that

the General Council shall not have power to direct that it shall be given by word of mouth only.

Canon II.—The Indian Church Trustees incorporated under Royal Charter and any Diocesan Trust Association incorporated or registered under the Indian Companies Act 1913 or the Societies' Registration Act 1860 or any other Act or Public Order authorising the registration or incorporation of Companies now or heretofore in force, or any future Act which shall be approved by the General Council as suitable for the purpose, shall be the bodies authorised under this Chapter to hold property for any uses or purposes of the Church of India, Burma and Ceylon or of any Diocese or other part thereof or of any institution or person therein, subject to the Charter of the Indian Church Trustees and the rules scheduled thereto, and to the provisions of this Chapter.

Canon III.—In addition to any property which is vested in them under the provisions of the Indian Church Act 1927 or of the Rules made under that Act, and any property which is transferred to them by persons competent to transfer it under the provisions of that Act, the Indian Church Trustees shall hold (*a*) any property now or hereafter belonging to or designed for the benefit of the Church of India, Burma and Ceylon as a whole, and (*b*) any property now or hereafter belonging to or designed for the benefit of more than one Diocese of the said Church, unless the General Council shall, at the request of the Diocesan Councils concerned, direct that such property be held by one Diocesan Trust Association on behalf of several Dioceses or be divided between those Dioceses and be held by their respective Diocesan Trust Associations, and (*c*) any property given in trust for the benefit of a Diocese which has not a Diocesan Trust Association incorporated or registered under any Act specified or described in Canon II of this Chapter, and (*d*) any property conveyed to them on a trust approved by the General Council or a Committee or Board thereof acting under its instructions and authority, and (*e*) any other property which the General Council may direct them to hold.

Canon IV.—The Indian Church Trustees shall not hold any property which is designed wholly or mainly for the benefit of members of one Diocese only, except as directed in the Rules made under the Indian Church Act 1927, or at the request of the Diocesan Council concerned, or if the Diocese concerned has no Diocesan Trust Association incorporated or registered as above mentioned.

Canon V.—A Diocesan Trust Association shall, except as provided in the preceding Canon, hold any property which is designed wholly or mainly for the benefit of that Diocese or of members of the Church resident in that Diocese, and it shall not hold property designed for the benefit of the whole Church of India, Burma and Ceylon or of members of several Dioceses thereof indifferently and equally, unless directed to do so by the General Council, and unless the terms of the Trust (if any) so permit.

Canon VI.—The Indian Church Trustees shall be bare or holding Trustees and shall not assume the management of any property which they hold, unless it be one of the express terms of a trust accepted by the General Council that they should do so, or in any other special case the General Council shall instruct them so to do.

Canon VII.—Where there are at the date of severance Managing Trustees of any property which comes at that date to be vested in the Indian Church Trustees under the provisions of the Indian Church Act 1927, those Managing Trustees shall, unless it be otherwise ordered in any scheme made under the provisions of the said Act, continue to be the Managing Trustees after the date of severance.

Canon VIII.—When in relation to any property which is on the date of severance vested in the Indian Church Trustees, under the provisions of the Indian Church Act 1927, or which shall hereafter be vested in them, any doubt shall arise as to whether there are any Managing Trustees either continuing or appointed under any trust the General Council shall appoint Managing Trustees and define their duties.

Canon IX.—The Indian Church Trustees shall when so required act in and deal with the affairs of any trust according to the written requisition of the Managing Trustees of that trust, and subject to the terms of the trust.

Canon X.—The General Council shall from time to time make Rules concerning the qualifications and tenure of office of Trustees and the appointment of new Trustees, and their discharge of their duties, provided that these Rules be consistent with the Charter and the rules scheduled thereto.

Canon XI.—The directions or instructions which may be given and the appointments and definitions of duties which are to be made by the General Council under Canons III, V, VI and VIII of this Chapter shall be given or made by the Standing Committee of the General Council acting on behalf of the Council, unless (*a*) in any particular case the Council shall by resolution otherwise order, or (*b*) in the cases mentioned in Canons III and V a session of the Council is to be held within six months.

Rules 1–4. The appointment of the Indian Church Trustees.

Rule 1.—The number of the Indian Church Trustees shall be ten, of whom not more than three may be Bishops.

Rule 2.—Every person appointed to be one of the Indian Church Trustees must be qualified to be a member of the General Council, and shall hold office until he dies, resigns, ceases to be qualified to be a member of the General Council, is convicted of any non-bailable criminal offence, is declared bankrupt, is absent from India for more than 10 months, or fails to attend four successive meetings of the Trustees, or until he is removed by a vote carried by a two-thirds majority in the General Council.

Rule 3.—Any vacancy which may occur on any of the grounds above mentioned, and shall remain unfilled at the time of a session of the General Council, shall be filled by that Council during that session, and the Standing Committee of the Council shall fill vacancies if at any time between two sessions of the Council the number of the Indian Church Trustees falls below five, and may fill vacancies when there are five or more remaining Trustees, provided that in the last case it shall not fill any vacancies if they occur within six months of the date fixed for the next session of the Council.

Rule 4.—Every appointment of new Trustees shall be evidenced by a memorandum under the hand of the Chairman for the time being of the meeting of the General Council or Standing Committee, as the case may be, at which such appointment is made. Such memorandum shall be in the form set forth in Appendix C. 15 or as near thereto as circumstances allow, and shall be executed in the presence of and attested by two or more witnesses who were present at such meeting, and shall be registered.

Rules 5–8. Duties of Trustees.

Rule 5.—When any property held by the Indian Church Trustees consists of money or securities, they shall have power to invest it or vary its investments (subject to any direction contained in the instruments of Trust), provided that they shall only invest in the following securities and no others:—

(*Vide* §*20 of the Indian Trusts Act II of 1882—investment of Trust Funds*)

(1) In Promissory Notes, Debentures, Stock or other Securities of the Government of India, or of the United Kingdom of Great Britain and Ireland;

(2) In Bonds, Debentures and Annuities charged by the Imperial Parliament on the revenues of India;

(3) In Stock or Debentures of, or shares in, Railway or other Companies the interest whereon shall have been guaranteed by the Secretary of State for India in Council;

(4) In Debentures or other Securities for money issued by, or on behalf of, any Municipal body under the authority of any Act of a legislature established in British India;

(5) On a first mortgage on immoveable property situate in British India; provided that the property is not leasehold for a term of years and that the value of the property exceeds by one-third, or, if consisting of buildings, exceeds by one-half, the mortgage-money; or

(6) On any other security expressly authorised by the instrument of trust, permissible by law for the investment of Trust Funds.

Rule 6.—When any property held by the Indian Church Trustees consists of money and cannot be applied immediately or at an early date to the purposes for which it is held, the Trustees shall, subject to any direction contained in the instruments of Trust (if any), invest the money in the securities mentioned in Rule 5 and no other.

Rule 7.—Nothing in this Chapter shall render it unlawful for the Trustees, pending investment as aforesaid of monies in their hands, to deposit such monies or any portion thereof. from time to time, with any Bank or Banks which may from time to time be approved by the Standing Committee of the Council, by way of fixed deposit for a term not exceeding one year, or on current account.

Rule 8.—The Procedure Committee shall frame rules in accordance with which the body of persons appointed by the General Council under Rule 11 scheduled to the Charter granted to the Indian Church Trustees shall take cases referred to it into consideration and frame schemes, and shall have power to revise such rules from time to time, and the rules framed or revised by them shall be deemed to be rules made by the General Council.

Provided that all such rules shall be laid on the table at the next session of the General Council, and the Council may by resolution give instructions to the Procedure Committee for the future framing or revising of such rules.

Rule 9. Liability of Trustees.

Rule 9.—No Trustee shall be personally liable or responsible in respect of any covenant or agreement entered into by him with any person or body of persons, corporate or otherwise, other than the Council in any deed of conveyance or other document relating to immoveable property, such as lease, sale or mortgage, when such deed or document has been signed with the previous sanction of the General Council, or of any body of Managing Trustees constituted by it or with its approval, or of any Committee or Board thereof acting under its instructions and authority; neither shall such Trustee be personally answerable for the acts or omissions of any banker, broker of solicitor with whom or in whose hands any trust money or part thereof shall or may be lodged or deposited for safe custody, or otherwise in the execution of any of the aforesaid trusts; neither shall the said Trustees be personally answerable for the insufficiency or deficiency of any security or securities or funds in or upon which the said trust monies or part thereof shall or may be entrusted nor for any other loss or misfortune which shall or may happen in the exercise of his trust or in relation thereto unless the same happen by or through his own wilful default, and every such Trustee shall be fully indemnified and saved harmless by the Council against all claims made and action taken or loss incurred in consequence thereof. A Trustee shall not be answerable for the acts or omissions of any other Trustee except in so far as such acts or omissions shall have been made possible by his own neglect or connivance.

Rule 10. Offers of property to be held in trust.

Rule 10.—If any property of whatsoever kind is offered to the Church of the Province upon certain Trusts, this offer shall be forwarded to the Metropolitan and by him laid before the General Council, and that Council shall after taking it into consideration inform those who make the offer whether it accepts or declines the offer, or whether, though declining it on the conditions stated, it would be willing to accept it if those conditions were altered; provided that if in the judgement of the Metropolitan the acceptance or rejection of the offer be a matter of urgency he may refer it to the Standing Committee, who shall have power to deal with it on behalf of the General Council.

Rule 11. Seal of the Trustees.

Rule 11.—The Seal of the Trustees shall be in the custody of the Metropolitan, and it shall not be affixed save in the presence of the Metropolitan (or the person who under the provisions of these Canons and Rules may in certain circumstances act in his stead) and of two other persons, both of whom must be Trustees.

Rule 12. Report and Accounts.

Rule 12.—The Indian Church Trustees shall present an annual report of all property in their charge together with audited accounts to the Standing Committee of the General Council.

Chapter XXXVII.

OF THE PROCEDURE COMMITTEE.

Canon I.—There shall be a Church Courts Procedure Committee (hereinafter called the Procedure Committee) which shall consist of persons learned in the law nominated by the Metropolitan after consultation or correspondence with the Bishops of the House of Bishops of the General Council.

Canon II.—The Procedure Committee shall frame and from time to time amend rules of procedure and evidence and judicial forms and rules concerning the award of costs which shall be followed in all proceedings in the Diocesan and Provincial Courts of the Church of this Province other than disciplinary proceedings with regard to lay persons.

Canon III.—Every Diocesan Bishop shall send through the Metropolitan to the Procedure Committee the rules of procedure and evidence and judicial forms which are now in use, or may in the future be adopted, in his Diocese in disciplinary proceedings and enquiries with regard to lay persons, and the Procedure Committee shall consider and advise upon such rules.

Rule 1.—The Metropolitan shall appoint one of the members of the Procedure Committee to be Chairman and convener thereof.

Rule 2.—All rules framed by the Procedure Committee and any amendments in such rules made from time to time by the Committee shall be communicated to the Metropolitan and if he approves of them shall by him be published and shall come into force immediately upon such publication.

Rule 3.—All rules and amendments so published shall be laid on the table at the next meeting of the General Council. Neither the General Council nor any House thereof shall have power to alter or amend any such rule or amendment, but they shall be subject to annulment by resolution of the House of Bishops, provided that such annulment shall have no retrospective effect.

Rule 4.—Any Diocesan Bishop or Diocesan Council or the General Council or any House thereof shall be entitled to make representations to the Metropolitan as to the necessity for new rules of procedure and evidence and judicial forms and rules concerning the award of costs in any Church Court or for the amendment of rules or forms already framed by the Procedure Committee, and the Metropolitan shall forward all such representations to the Chairman of the Committee, and the Committee shall consider them at its next meeting.

Rule 5.—The advice of the Procedure Committee on the rules of procedure and evidence and judicial forms of any Diocese in disciplinary proceedings and enquiries with regard to lay persons shall be communicated by the Metropolitan to the Bishop of that Diocese. The Bishop of the Diocese shall, after considering the advice of the Procedure Committee, inform the Metropolitan whether he or his Diocese are willing to adopt it, and if he or his Diocese be unwilling that any part of the advice should be put into force in the Diocese, the question shall be referred to the House of Bishops, whose decision shall be binding on the Bishop and his Diocese.

Chapter XXXVIII.

OF DISCIPLINE (GENERAL).

Canon I.—The Church of this Province maintains the right which has existed in the Holy Catholic Church since the time of the Apostles to exclude from its communion persons whose life is a cause of scandal to the Church, to the intent that they may repent and that others may not be emboldened by any laxity in the Church similarly to offend.

Canon II.—The Bishop of the Diocese alone has the power to pronounce the sentence of excommunication on a guilty person: and he shall only pronounce sentence after the facts of a case have been duly established by enquiry made by himself or under his directions in accordance with the customs of the Church and with the Canons and Rules of this Church or such enactments as the Council of the Diocese may from time to time make in accordance with these Canons and Rules in regard to such enquiries,

provided that before such sentence of excommunication is pronounced, the accused person must have received notice of all charges against him and have had an opportunity of being heard in his defence, and provided also that any enactments of a Diocesan Council in regard to enquiries under this Canon shall always contain the foregoing provisos.

Canon III.—Though the Bishop alone has the power to pronounce the sentence of excommunication, clergy and laity have by ancient custom the duty of taking part in enquiries about grievous offences, in the enforcement of sentences pronounced, and in considering whether an excommunicated person should be reconciled to the Church. The customs prevailing in this Province concerning these duties of the general body of the Church are to be carefully observed and diligently improved, particularly by Diocesan action, unless and until it shall seem good to the General Council to make general Canons or Rules on this subject. And especially the Church of this Province calls upon the Bishops and Clergy to see that no excommunicated person be ever forgotten, but that continual prayers and efforts be made for his reclamation, and calls upon the lay people to throw the weight of their influence on the side of Christian standards of conduct, and to do all in their power to bring it about that excommunication may lead the excommunicated person to repentance and restoration.

Rule 1.—It pertains to the Bishop of the Diocese alone to impose suspension from Holy Communion by public sentence, or excommunication from all the rights and privileges of the Church (major excommunication) and to sanction restoration to Communion after suspension or excommunication.

Rule 2.—If any person is an open and notorious (*i.e.*, well-known) evil liver or has done any wrong to his neighbour by word or deed, and because of such evil life or wrong-doing is a cause of shame, scandal or offence to the congregation, and the Parish Priest has reason to believe that he wishes or intends to present himself for communion, the priest shall warn such an one not to do so till he shall have openly shown himself to have truly repented and amended his former life, and if after such warning he presume to present himself, the priest shall not suffer him to be a partaker of the Lord's Table.

Rule 3.—If the Parish Priest have reason to believe that persons who are parties in a malicious quarrel are likely to present themselves for communion, he shall warn them and not suffer them to be partakers of the Lord's Table until he knows them to be reconciled : and if one of the parties repent and be ready to make amends but the other remain obdurate, the Parish Priest may again admit him that is penitent, but not him that is obdurate.

Rule 4.—Every Parish Priest so repelling offending persons from partaking of the Lord's Table, as set forth in Rules 2 and 3, shall inform the Bishop within fourteen days after at the farthest, and the Bishop shall at his discretion either make enquiry or cause enquiry to be made under Canon II of this Chapter, or instruct the Parish Priest to admit the persons concerned to the Holy Communion after any necessary admonition by the Parish Priest or the Bishop himself.

Rule 5.—The rule of the Church that communicants shall have been confirmed or be ready and desirous to be confirmed is maintained in the Church of this Province, but nothing in these Rules is intended to indicate that this rule must necessarily apply to the case of baptised persons who seek Communion under conditions which in the Bishop's judgement justify their admission thereto.

Rule 6.—A priest has no right without the Bishop's authority to invite persons who are not members of the Church of this Province or of a Church in communion therewith to partake of the Holy Communion, but a priest shall not without previous warning refuse to administer the Holy Communion to a baptised person kneeling at the Lord's Table on the sole ground that he has not been confirmed: and if any question arises concerning the frequent or continual admission of an unconfirmed person to the Holy Communion, the matter shall be referred to the Bishop for decision.

Rule 7.—Subject to the provisions of Chapter XXXVII it shall be competent to any Diocesan Council to frame and adopt rules of procedure and evidence and judicial forms for enquiries under Canon II of this Chapter so that they be not contrary to any Canon or Rule of this Church.

Rule 8.—Enquiries into cases of alleged wrong-doing shall continue to be conducted in each Diocese as has been customary until the Diocese shall through its Diocesan Council make the rules of procedure for such enquiries.

Rule 9.—A register shall be kept in every Diocese of the persons excommunicated by the Bishop, and enquiry shall be made annually concerning every person whose name remains on the register as excommunicated.

Chapter XXXIX.

OF DISCIPLINE OF THE CLERGY.

Canon I.—The Clergy are amenable to the discipline of the Church not only as baptised and confirmed members of the Church but as bound by the solemn vows made at the time of their ordination, and if licensed in the Province by the promises and declarations made at the time of receiving their licences.

Canon II.—For disciplinary purposes the Bishop of each Diocese and his Diocesan Court have jurisdiction over every clergyman who has received a licence to officiate from the former, in respect of the offences mentioned in the Rules of this Chapter, whether any such offence be committed within or without the Diocese; and the Bishop also has the right to take cognizance of any of the said offences which any other clergyman of this Church or of any Church in communion therewith may commit within the Diocese.

Canon III.—When the Bishop of a Diocese or one of his predecessors has in the exercise of his authority as Bishop issued a licence to a clergyman to officiate in that Diocese, he may in the exercise of the same authority withdraw that licence for a period or completely, without formally specifying reasons for such withdrawal, provided always that a Bishop may not withdraw the licence of any clergyman unless he shall have given him opportunity to show cause why the licence should not be withdrawn, and that an appeal shall lie to the Metropolitan against any withdrawal of a licence, unless the licence be withdrawn under a sentence pronounced by a Bishop under the provisions of Canon IV of this Chapter, in which case an appeal shall lie as may be provided by Rules under that Canon.

Canon IV.—If any charge be brought against a clergyman, or the Bishop himself on receiving an evil report of a clergyman do not proceed under Canon III of this Chapter but determine that disciplinary proceedings be taken against him, action shall be taken as may be provided by Rule, provided that, except in cases where the clergyman concerned shall acknowledge his offence and submit himself to the decision of the Bishop, or in cases where both he and any persons bringing charges against him shall voluntarily submit themselves to the personal arbitration of the Bishop, the Bishop shall only pronounce sentence after investigation by a properly constituted Court.

Offences cognizable.

Rule 1.—Offences which are cognizable by the Bishop or his Court are as follows:—

(*a*) Teaching or preaching any doctrine which is contrary to the doctrine of the Catholic Church as it has been understood and accepted by the Church of this Province, whether such teaching be given orally or by means of books or other writings which inculcate such doctrine.

(*b*) Schism, that is, separating himself from the communion of the Church or acquiring membership in a Christian body which is not in communion with the Church of this Province or supporting or assisting such a body in teachings or actions inconsistent with the tenets of the Church of this Province.

(*c*) Acquiring membership in any body which is engaged in the maintenance and propagation of tenets inconsistent with the tenets of the Church of this Province, or supporting or assisting such a body in teachings or actions inconsistent with the tenets of the Church of this Province.

(*d*) Any criminal, dishonest, immoral, or disorderly act, habit, or conduct.

(*e*) Any act, habit, or conduct which has given just cause of scandal or offence to the faithful or which is unworthy of a clergyman and likely to bring the ministry of the Church into disrepute.

(*f*) Habitual irregularity or neglect in the performance of ecclesiastical duties.

> The expression "ecclesiastical duties" in this Rule shall, in all respects, include the observance of all the promises as to conduct which every clergyman solemnly makes at the time of his ordination; and the expression "neglect" shall include wilful default in the performance of such duties.

(*g*) Unjustifiable non-residence or exercising any profession or occupation which is either in its own nature or in the manner in which he exercises it inconsistent with his sacred calling.

(*h*) Wilful or negligent violation of the Canons and Rules of the Church of this Province or of the constitution or rules of the Council of his Diocese.

(*i*) Contumacy, that is, persistence in disrespectful or disobedient conduct towards the Bishop of the Diocese in matters in which the Bishop is canonically entitled to require obedience.

(*j*) Officiating when suspended or inhibited or deprived of his charge, or officiating in any place in which his licence does not permit him to officiate or after his licence has been withdrawn.

(*k*) Any offence not mentioned above which under the Canons and Rules of the Church of this Province is a ground for suspension from Holy Communion or for excommunication.

A charge under paragraphs (*a*), (*b*) or (*c*) above may not be made on the ground that the teaching or action of the accused person is contrary to or inconsistent with a Determination of the Episcopal Synod which has not been incorporated by the General Council in a Canon or with a portion of such a Determination which has not been so incorporated.

Rules 2 to 4. Proceedings in connexion with licence.

Rule 2.—Before the Bishop of a Diocese withdraws the licence of any clergyman, he shall inform that clergyman of the matters of complaint which he or others have against him, indicating these with sufficient definiteness to enable him to explain himself and to answer any charges that may have been made. Such explanation or answer to charges may be given in writing, or, if the clergyman concerned so desire or the Bishop so direct, in a personal interview.

If a reference be made to the Court of the Episcopal Synod for a declaratory judgement under Chapter XL, Rule 22, the Bishop shall not withdraw the licence until he have received the answer of that Court to the reference and have communicated it to the clergyman.

Rule 3.—The withdrawal of a licence from a clergyman means that the Bishop withdraws from him either for a period or completely the permission and authorisation to officiate as a clergyman within the Bishop's jurisdiction.

If a licence has been withdrawn completely from any clergyman, the Bishop may subsequently grant a fresh licence to that clergyman.

Rule 4.—If any clergyman appeal to the Metropolitan against the withdrawal of his licence, he may claim to be heard in person, and if he make that claim, the Metropolitan shall so hear him.

Rule 4 (*a*).—If the Metropolitan withdraw the licence of a clergyman officiating in the Diocese of Calcutta, an appeal shall lie to a committee of Bishops consisting of the Bishops of Assam, Chota Nagpur and Lucknow, two being a quorum.

Rules 5 to 7. General Rules for proceedings under Canon IV.

Rule 5.—If an offence under Rule 1 be alleged to have been committed by a clergyman holding the licence of one Bishop within the Diocese of another Bishop, the latter Bishop shall give notice of this fact to the former and the two Bishops shall agree on the action to be taken against the clergyman concerned. If the two Bishops are unable to agree, or if the former Bishop has taken no action within three months, the other Bishop may refer the matter to the Metropolitan.

Rule 6.—The Procedure Committee shall make rules for determining in what Diocese or Dioceses a priest or deacon may be tried who is alleged to have committed in more than one Diocese diverse acts or omissions which constitute one offence, and for enabling all charges against a priest or deacon to be disposed of before one Diocesan Court notwithstanding that such offences were committed in more than one Diocese.

Rule 7.—Any charge made against a clergyman shall be submitted to the Bishop in writing, whether it be made by a private person or persons, or by the Archdeacon on behalf of the Diocese.

Rule 8.—On receiving a charge against a clergyman in accordance with Rule 7, the Bishop shall consider whether he will take cognizance of it. He may refuse to take cognizance of it, if he regards it either as frivolous or factious or as insufficiently supported. Such refusal by the Bishop to take cognizance of a charge shall not be subject to appeal or review.

Rule 9.—When the Bishop under Rule 8 has taken cognizance of a charge against a clergyman, he may either—

(*a*) proceed to take the steps described in Rules 2 to 4 of this Chapter, which have in view the withdrawal of the clergyman's licence; or

(*b*) order a preliminary investigation to be made under Rule 10 below, after which he may at his discretion dismiss the charge or terminate the proceedings by an admonition, or proceed under Rules 2 to 4 of this Chapter, or cause proceedings to be commenced in the Diocesan Court under Rules 11 and following; or

(*c*) if he shall deem a preliminary investigation unnecessary, immediately cause proceedings to be commenced in the Diocesan Court under Rules 11 and following;

provided that it shall be competent to any Diocesan Council to lay it down that if the charge be under paragraph (*d*) of Rule 1 of this Chapter, those who bring the charge may at any point in the proceedings under the present Rule demand that the charge be brought into the Diocesan Court, and if this demand be made, the Bishop shall comply with it whether he have ordered a preliminary investigation to be made or not;

provided also that all proceedings under this or any subsequent Rule of this Chapter, save Rule 15, shall be stayed if a reference be made to the Court of the Episcopal Synod for a declaratory judgement in accordance with Chapter XL, Rule 22, until the answer of that Court to the reference is received by the Bishop.

Rule 10.—When the Bishop under Rule 8 has taken cognizance of a charge against a clergyman, he may cause the Archdeacon or such other person as he may think fit to hold a preliminary investigation with a view to determine whether the case is one which should go forward for trial in the Diocesan Court or one which can be dealt with in some other way with greater advantage to the interests of the Church and greater benefit to the members of the Church who are specially concerned.

The clergyman concerned must be given information by the Bishop that such investigation is being made or is about to be made, in order that if he so desire he may make a statement, whether verbal or written, to the person holding the investigation.

Rule 11.—When under any of the provisions of Rule 9 above a case is to be brought into the Bishop's Court, the Bishop shall cause the terms of the charge to be communicated in writing to the clergyman concerned, and shall require him to answer within fourteen days whether—

(*a*) he wishes to plead guilty to the charge, or

(*b*) he does not wish to plead guilty, but is willing to submit to the discretion of the Bishop without appeal, or

(*c*) he wishes neither to plead guilty nor to submit to the discretion of the Bishop without appeal, or

(*d*) he wishes to ask for a declaratory judgement from the Court of the Episcopal Synod under Chapter XL, Rule 22,

and shall at the same time inform him that if the Bishop receives no reply from him within fourteen days, proceedings in the Bishop's Court will be commenced against him.

If the Bishop sanctions the reference to the Court of the Episcopal Synod under Chapter XL, Rule 22, he shall stay further proceedings (save any under Rule 15 of this Chapter) until he have received the answer of that Court to the reference.

Rule 12.—In case (*a*) of Rule 11, the Bishop may hear the matter in such manner as he shall think fit, or may, if he be satisfied of the guilt of the accused person, forthwith adjudge him to be guilty, and he shall award such punishment under these Rules as in his judgement and discretion he may think adequate to the offence, but no sentence shall be pronounced until the person accused has had an opportunity of submitting representations in mitigation of sentence.

The Clerk of the Court shall transmit to the clergyman concerned and the persons, if any, who brought charges against him, a copy of the Bishop's judgement and sentence.

Rule 13.—In case (*b*) of Rule 11, unless the person or persons who preferred the charge shall state in writing that they are not willing to submit to the discretion of the Bishop touching the matter of the said charge without appeal, the Bishop shall forthwith proceed to hear the matter in such a manner as he shall think fit, provided that the accused person shall always be given opportunity to be heard in his defence, and, if adjudged guilty, in mitigation of sentence, and shall pronounce judgement and pass sentence as he may think proper, and no appeal shall lie from such judgement or sentence.

Rule 14.—In case (*c*) of Rule 11, and in case (*b*) of that Rule if the person or persons who preferred the charge shall state in writing that they are not willing to submit to the discretion of the Bishop touching the matter of the said charge without appeal, the Bishop shall forthwith, after the expiration of such fourteen days, transmit to the Clerk of the Court the charge and denial, if any, and the names of the persons who should be summoned to constitute the Court, and the Clerk shall file the same on record and shall notify the members of the Court of the impending proceedings, who shall in due course proceed to try the matter in controversy.

Rule 15.—In every case in which from the nature of the offence charged, it shall appear to the Bishop that scandal is likely to arise from the clergyman accused continuing to perform the Services of the Church while such charge is under investigation, the Bishop shall cause a notice to be served on the accused at the same time as the notice prescribed in Rule 11, or at any subsequent stage of the proceedings, inhibiting him from performing any Services of the Church during the investigation or until the Bishop shall withdraw the inhibition.

When such a notice of inhibition has been served upon the accused, a charge or charges under Rule 1 (*j*) of this Chapter in respect of his failure to comply with it may be added to the charges already made against him and may be tried by the Court which tries such last-mentioned charges, provided that the accused shall have had not less than seven clear days' notice before the day of trial of all such additional charges and of the intention so to try them.

Rules 16 to 19. Definition and composition of Court.

Rule 16.—Save as provided in Rule 24, in the Rules of this Chapter the term Court shall (save in respect to the pronouncement of sentence) include the President (whether the Bishop or another) and every member of the Court.

Rule 17.—Every Diocesan Council shall at each ordinary session appoint a panel of clergy, elected by the House of Clergy, and a panel of laity, who shall be communicant members of the Church of this Province, elected by the House of Laity, from whom the Bishop shall summon assessors to sit as members of the Diocesan Court.

Rule 18.—The Diocesan Council shall appoint a suitable person to be Clerk of the Court and he shall, as such Clerk, perform such duties as may from time to time be defined by the Court: but he shall not be a member of the Court.

Rule 19.—(*a*) The Court shall be presided over by the Bishop of the Diocese if he so desire or by some person, being a communicant member of the Church of this Province, selected by him, and such person shall be a priest when the Court is sitting to try a case concerning Faith or Order.

(*b*) The Bishop may at his discretion summon one of the Canons of the Cathedral or some other senior clergyman to be a member of the Court.

(*c*) The Bishop shall also summon two clergymen and two laymen from the panels chosen by the Diocesan Council, and these together with the President and the clergyman summoned under section (*b*) above shall constitute the Court. Three members exclusive of the Bishop shall form a quorum.

(*d*) The Bishop may direct some person learned in the law, other than his standing legal adviser, to sit with the Court and advise.

Provided that the Bishop shall cause to be sent by registered post to the parties 21 days before the hearing a list of the available persons from each panel, and at the same time the parties shall be informed that the accused has the right to challenge a given number from the names in each of the panels, and the preferrer and all the preferrers among themselves have the same right (if the charge has not been preferred at the direction of the Bishop). The Bishop shall fix the numbers to be allowed to be challenged so that if the right be exercised by both the accused and the preferred or preferrers, the number unchallenged shall be sufficient with the Assessor nominated under section (*b*) to constitute the court. Every person challenged, if not less than 14 days' notice of challenge be sent to the Bishop, shall not sit as a member of the court, and if by reason of any circumstances the court cannot be constituted for want of the requisite number of members, the Bishop shall summon other persons having the requisite qualifications to form the court at any time before the commencement of the trial.

Rules 20 to 23. The Hearing in Court.

Rule 20.—The procedure of the Court shall be that laid down in the rules of procedure and evidence and judicial forms as framed and from time to time amended by the Procedure Committee in accordance with the provisions of Chapter XXXVII and published by the Metropolitan, provided that if at any time any point of procedure shall not be provided for by those rules, it shall be competent for any Diocesan Court to decide that point, and the decision of the Court shall remain in force in that Diocese until the publication by the Metropolitan of a rule or amendment made by the Procedure Committee dealing with the point in question.

Rule 21.—If the accused person shall fail to submit an answer as prescribed in Rule 11, or to appear before the Court, the Court, if satisfied that he has had notice of the charges and of the date of trial, shall proceed to hear the case in his absence and pronounce sentence.

The Court shall not be prevented from proceeding with the trial and passing any sentence otherwise competent by any of the following acts done or attempted by an accused person after notice of the charge, that is to say, resignation of his charge or office, surrender of his licence, abandoning the communion of the Church, or resigning his Orders.

Rule 22.—Either party may appear upon any application made to the Court or the President thereof, or at the hearing, by any counsel or pleader, being a baptised Christian, who has been duly admitted to practise in the Courts in India, Burma or Ceylon.

Rule 23.—It is the function of the Court to decide on the truth or otherwise of the charge or charges brought against the accused person and upon any point of law which arises in the course of the proceedings. The Court shall submit its decision to the Bishop in writing.

The decision of the Court shall be that of the majority of the members present; and no person shall be pronounced guilty except by a majority of the votes of such members; but on any other question than that of guilty or not guilty, the President shall in case of equality of votes have a casting vote in addition to his original vote.

If the accused be acquitted, the Court shall pronounce a judgement of acquittal; and if he be found guilty, the Bishop shall pronounce judgement accordingly, and shall pass such sentence as to him may seem proper in accordance with the Rules governing judicial sentences.

The Court is at liberty, when submitting its decision of the facts of the case, to inform the Bishop what sentence it deems suitable.

The accused shall be entitled, if he so desire, to be heard by the Bishop himself in mitigation of sentence, whether the Bishop has presided at the trial or not.

Rule 24.—A case in a Diocesan Court shall be regarded as a case concerning Faith or Order if the offence of which the clergyman is accused is any of those defined in paragraphs (*a*), (*b*) or (*c*) of Rule 1 of this Chapter, and otherwise shall not be so regarded; provided that if in the opinion of the President of the Court there be *prima facie* reason to consider that a case should be regarded as one concerning Faith or Order though the offence alleged be not any of those defined in the above-mentioned paragraphs, he shall refer the question to the Committee of Reference, and the case shall be dealt with according to their decision.

When a Diocesan Court is sitting to try a case concerning Faith or Order, the Court shall for the purposes of Rule 23 include the President and those members of the Court who are Priests, and the lay members of the Court shall sit as assessors with them and shall be invited to give their opinion before the decision of the Court is framed.

Rule 25.—Whenever it is necessary for the purpose of deciding upon any charge to define the meaning of words used in the Constitution, Canons or Rules or in any document incorporated by reference therein, and extrinsic evidence is properly receivable in aid of such definition, a determination of the Episcopal Synod or a part thereof which has not been incorporated by the General Council in a Canon shall be receivable in evidence in like manner as the writings of theologians or the decrees and other pronouncements of Councils, Synods or other bodies not in their nature binding upon the Church of this Province are receivable in aid of such definition.

A Diocesan Court shall not refuse to hear argument, if such be submitted, which may traverse the substance or the terms of a Determination of the Episcopal Synod which has not been incorporated by the General Council in a Canon, or of a portion of such a Determination which has not been so incorporated;

and a Diocesan Court shall not regard such a Determination of the Episcopal Synod as a decision with which its judgement must in all respects agree, but it shall give weight to such a Determination as being the most authoritative evidence available in the Church of India, Burma and Ceylon in regard to the meaning of the teaching of the Church on the matter with which it deals.

Rule 26.—No action of a Diocesan Court taken erroneously in good faith shall be invalidated on account of merely technical and unsubstantial errors.

Rules 27 to 34. Sentences.

Rule 27.—For the offences set forth in Rule 1 of this Chapter the following sentences may be passed and punishments imposed upon clergymen found guilty, *viz.*, admonition, whether private or public, inhibition from preaching, withdrawal of licence, whether temporary or complete, suspension, deprivation, and deposition.

The Bishop may on the finding of the Court further pronounce sentence of suspension from Holy Communion or of excommunication if it seem to him appropriate to the offence.

The restoration of a clergyman to communion after excommunication or suspension shall rest with the Bishop as in the case of lay persons and may take place while any other sentence under this Rule is still in force.

Rule 28.—Suspension means the removal of a clergyman from a named charge or office for such period as may be determined in the sentence of suspension. No clergyman suspended has during the period of suspension any claim to any salary, pension or allowances which he received in virtue of such charge or office, and the sentence of suspension shall set forth whether he is deprived of all or any part of such salary, pension and allowances.

When sentence of suspension is pronounced, the Bishop shall cause such notice of it to be given to the clergy and laity of the Diocese as he shall think sufficient.

Rule 29.—Deprivation means the final removal of a clergyman from a named charge or office.

When sentence of deprivation is pronounced, the connexion between the clergyman so deprived and his congregation shall be *ipso facto* terminated: all appointments, rents, profits and emoluments which he may have held by virtue of such charge from which he has been removed shall wholly cease and determine, and he shall have no claim to any pension to which he might otherwise have been entitled, and the sentence shall set forth whether he is deprived of all or any part of such pension.

Rule 30.—A Bishop may at his discretion withdraw or not withdraw his licence from a clergyman who is suspended or deprived of his charge or office.

Rule 31.—Deposition or permanent inhibition means the withdrawal from a clergyman of all power to exercise his sacred calling either publicly or privately within the Church of the Province. A sentence of deposition shall of its own force cancel the licence of the deposed clergyman.

Whenever a clergyman is so deposed or permanently inhibited from exercising his sacred calling, the Bishop shall without delay cause notice of such deposition or inhibition to be given to the clergy of the Diocese and to the Metropolitan, who shall communicate it to the Bishops of the Province and to such Metropolitans of the Provinces of Churches in communion with the Church of this Province as he shall deem sufficient.

Rule 32.—It is not competent to a Bishop in his Diocesan Court to inflict the punishment of deposition solely on the ground of an offence falling under heads (*c*), (*e*), (*f*), (*g*), or (*i*) of Rule 1 of this Chapter.

Rule 33.—It is competent to any Diocesan Bishop, in order to give time for consideration and repentance to a clergyman who has been found guilty of a serious offence, to impose a sentence of limited period with the condition that if he shall not before the end of that period have satisfied the Bishop that he has retracted his false teaching or repented of any other offence of which he has been found guilty, the Bishop will further consider his case and may either extend the period of the sentence already passed on him or impose other punishment upon him.

Rule 34.—It is here noted for the guidance of the Bishops of this Province and their Diocesan Courts that in regard to offences which it is possible that a clergyman may have committed without a clear consciousness of their gravity, the severer sentences should usually not be imposed, unless the clergyman had, before the proceedings in the Bishop's Court were instituted, received from his then Diocesan Bishop or some other Bishop a warning, reproof or admonition, whether private or public, concerning the acts or omissions or course of conduct, of which in those proceedings he was found guilty.

Rules 35 to 37. Miscellaneous.

Rule 35.—Subject to any rules made by the Procedure Committee under Chapter XXXVII, the Court shall define from time to time the duties of its Clerk, and shall likewise determine the remuneration payable out of the funds of the Diocesan Council to which he may be considered entitled for his services rendered as such Clerk, unless the Diocesan Council shall have otherwise ordered.

Rule 36.—The President of the Court shall determine at his discretion whether the public shall be admitted to any part of the hearing in Court or not.

Rule 37.—When a Bishop being absent from duty has appointed a Commissary and when the commission given to that Commissary does not explicitly exclude the judicial functions of the Bishop connected with the Diocesan Court, the Commissary shall, if need arises, take all such action as is enjoined or allowed to the Bishop under these rules of the Discipline of Clergy.

Chapter XL.

OF THE COURT OF THE EPISCOPAL SYNOD AND THE COURT OF THE GENERAL COUNCIL.

Canon I.—Since questions of Faith or Order may be the subject of charges in disciplinary proceedings, or may be raised in connexion with the interpretation to be given of the duty of a minister or other member of this Church under the Constitution, Canons and Rules and in these cases as well as others judicial decisions may be required on questions of Faith or Order, the Episcopal Synod with assessors shall sit as a Court for dealing with the above-mentioned matters, and when so sitting shall be called "the Court of the Episcopal Synod". The assessors shall be such as may be provided by Rule.

Canon II.—The Court of the Episcopal Synod shall have the following duties and powers:—

(*a*) It shall sit as a Court of Appeal from decisions of Diocesan Courts and Bishops in cases concerning Faith or Order;

(*b*) it shall sit as a Court for the trial of Bishops as provided in Chapter XLI of this Constitution; and

(*c*) it shall, when formal reference is made to it in accordance with the Canons and Rules, sit as a Court with power to give a declaratory judgement on any question which

(i) concerns Faith or Order or the conduct of the worship of the Church, and

(ii) is raised as a question of the interpretation either of some Declaration, Canon or Rule, or of some direction for the conduct of public worship given in the Book of Common Prayer or any other service book authorised for use in the Church of this Province.

Canon III.—The Court of the General Council shall consist of the Metropolitan or a Commissary appointed by him, being a Diocesan Bishop, with two other Diocesan Bishops, together with two clergymen and two laymen chosen by the General Council.

Canon IV.—The Court of the General Council shall have the following duties and powers:—

(*a*) It shall sit as a Court of Appeal from decisions of Diocesan Courts and Bishops in cases concerning conduct and morals.

(*b*) It shall have power to issue judicial decisions by way of arbitration or otherwise on questions of Church finance and Church trusts which require judicial decision and which are submitted to it in the manner which may from time to time be prescribed by rule.

Canon V.—No decision or judgement of the Court of the Episcopal Synod or of the Court of the General Council shall be subject to appeal to or revision by any person or Court outside the Province except for such consultative reference on points of doctrine as may be provided for by Rule in this Chapter and in Chapter XLI and except as further provided in Canon II of Chapter XLI in the case of the trial of Bishops,

but if at any time there shall be constituted by the Churches in communion with the Church of this Province or any of them a common tribunal of appeal which the Church of this Province through the General Council shall decide to recognise as a supreme Court of Appeal as contemplated in Declaration 24, then appeals may be made to such tribunal from the Court of the Episcopal Synod or the Court of the General Council in such manner and under such conditions as the General Council shall by Canon or Rule determine.

Rules 1 to 5. General Rules for appeals under Chapter XXXIX.

Rule 1.—Except in the case provided for by Rule 13 of Chapter XXXIX, an appeal on grounds of fact, law, or with reference to sentence shall lie from every judgement, sentence or final decision of any Diocesan Court or Bishop to the Courts of Appeal of the Province in the manner set forth in the following Rules, save that when a clergyman's licence is withdrawn by a Bishop apart from a judgement pronounced by him in his Court, an appeal shall lie as provided in Canon II of Chapter XXXIX.

Rule 2.—A clergyman convicted in a Diocesan Court may appeal upon a question or questions of fact or of law or of Faith or Order. The person or persons supporting the charge in the Diocesan Court have no right of appeal upon any question of fact, but may, with the leave of such Court or, if that be refused, with the leave of the Metropolitan, appeal upon a question or questions of law or of Faith or Order.

Rule 3.—At any time after sentence is pronounced in a Diocesan Court the person sentenced may apply to the Bishop for an order suspending the sentence in whole or in part pending an appeal, and the Bishop on being satisfied that such appeal has been entered or that such appeal will as soon as practicable be entered and that the appellant intends to prosecute it with all due diligence may if he thinks fit grant the application. Provided that, except where the sentence consists only of a monition, the Bishop may in his absolute discretion as part of the order suspending the sentence and as a condition of such suspension, pronounce a provisional inhibition whereby the person sentenced shall be inhibited from performing any services of the Church pending the decision of the appeal.

From a refusal of the Bishop to grant such an order (but not against the pronouncement of a provisional inhibition) the person sentenced may within fourteen days appeal to the Metropolitan who shall have the like powers in all respects as the Bishop from whom the appeal is brought.

When such an order is made it shall continue in force till the final determination of the appeal or until the appeal is withdrawn, or unless the person who made it is satisfied, after hearing the person sentenced, that such order ought to be discharged on the ground that the person sentenced has omitted to prosecute his appeal with reasonable diligence.

Rule 4.—The appellant shall submit his appeal in writing to the Metropolitan, stating the grounds on which he appeals, and the Metropolitan on receiving it, shall at once call for all the records in the case from the Diocesan Court.

Rule 5.—An appeal from a judgement or sentence or final decision of a Diocesan Court or Bishop shall be regarded as a case concerning Faith or Order if the offence of which the accused was found guilty was any of those defined in paragraphs (*a*), (*b*), or (*c*) of Rule 1 of Chapter XXXIX, and otherwise shall be regarded as a case concerning conduct and morals,

provided that if in the opinion of the Metropolitan there be *prima facie* reason to consider that an appeal should be regarded as a case concerning Faith or Order though the offence had not been any of those defined in the above-mentioned paragraphs, he shall refer the question to the Committee of Reference and the appeal shall be dealt with according to their decision.

Rules 6 to 9. Appeals in the Court of the Episcopal Synod.

Rule 6.—Every appeal in a case concerning Faith or Order shall be heard by the Court of the Episcopal Synod with Assessors. The Metropolitan shall summon the Court at such time as may appear to him convenient after he has received the appeal. When summoning the Court he shall summon all the members of the Episcopal Synod except that Bishop from whose Diocese the appeal has come and he shall summon Assessors from the same panels and of the same number and in the same manner as the provisions of Chapter XXV direct in the case of the Episcopal Synod meeting to deal with questions of Faith and Order.

The Metropolitan shall also appoint as legal adviser to the Court, who shall not be a member of the Court, the Registrar of the Diocese of Calcutta or some other layman, being a baptised Christian, who shall be a judge of a superior Court in India, Burma or Ceylon or a person qualified to practise in those Courts. If no such person be available, the Metropolitan shall appoint such lay person, being a baptised Christian, as may seem to him most suitable.

Rule 7.—The procedure of the Court of the Episcopal Synod shall be that laid down in the rules of procedure and evidence and judicial forms as framed and from time to time amended by the Procedure Committee in accordance with the provisions of Chapter XXXVII of these Canons and Rules and published by the Metropolitan;

provided that if at any time any point of procedure shall not be provided for by those rules, it shall be competent for the Court to decide that point, and the decision of the Court shall remain in force until the publication by the Metropolitan of a rule or amendment made by the Procedure Committee dealing with the point in question;

provided also that the assessors of the Court shall be entitled to hear all arguments, and after deliberation with the Court they shall give their opinion, and the Court shall then consider the arguments and frame the decision and judgement, and the judgement of the Court shall be that of the majority of the members of the Episcopal Synod present; and no person shall be pronounced guilty except by a majority of the votes of such members; but on any other question than that of guilty or not guilty, the President shall in case of equality of votes have a casting vote in addition to his original vote.

Rule 8.—The quorum of the Court of the Episcopal Synod shall be three Bishops, including the Metropolitan, save that no judgement which contains, or is equivalent to, or is accompanied by a new Determination on a question of Faith or Order shall be pronounced unless there be present in the Court a majority of the members of the Episcopal Synod and unless at the commencement of the proceedings there shall have been present in the Court not less than three clerical assessors.

No member of the Synod who has not been present throughout the whole hearing of a case shall take part in the decision and judgement of the Court on that case. If any member of the Synod before whom the hearing began shall at any time during the hearing be temporarily incapacitated from attending the hearing, it shall be adjourned till he shall be able to attend, but if his incapacity be prolonged or permanent the hearing may continue in his absence, provided that there be the necessary quorum.

Rule 9.—Whenever it is necessary for the purpose of deciding upon any charge to define the meaning of words used in the Constitution or in these Canons and Rules or in any document incorporated by reference therein, and extrinsic evidence is properly receivable in aid of such definition, a Determination of the Episcopal Synod or a part thereof which has not been incorporated by the General Council in a Canon shall be receivable in evidence in like manner as the writings of theologians or the decrees and other pronouncements of Councils, Synods or other bodies not in their nature binding upon the Church of this Province are receivable in aid of such definition.

The Court of the Episcopal Synod in hearing any appeal in a case concerning Faith or Order shall not refuse to hear arguments, if such be submitted, which may traverse the substance or the terms of a Determination of the Episcopal Synod which has not been incorporated by the General Council in a Canon, or of a portion of such a Determination which has not been so incorporated; and in deciding any such appeal it shall not regard itself as bound by such a Determination or portion of a Determination of the Episcopal Synod as if it had the authority of a Canon, but it shall take it into consideration as a previous decision of the Episcopal Synod, whether framed by it when sitting as the Synod or as a Court.

Rule 10.—At any time within one month after judgement is pronounced in the Court of the Episcopal Synod on any appeal upon a question of Faith or Order under Rule 2 of this Chapter from the decision of a Diocesan Court, the appellant against whom judgement has been given may demand from the Metropolitan that he should make a reference to the Central Consultative Body of the Lambeth Conference on some stated point or points of doctrine directly involved in the judgement of the Court. If such demand be made, the Metropolitan shall, except in the case referred to in the next following Rule, forthwith make such reference, and shall send to the Central Consultative Body such report of the proceedings of the Court of the Episcopal Synod and of the Diocesan Court from which appeal was made as he may think suitable, adding thereto any statement which the appellant who has made the demand for reference may wish to have placed before the Central Consultative Body.

Rule 11.—If the Metropolitan shall, on the ground that a point of doctrine alleged to be directly involved in the judgement of the Court is not so involved, object in part or in whole to a reference to the Central Consultative Body demanded under the last preceding Rule, he shall forthwith inform every Bishop of the Episcopal Synod of the demand and of his objection thereto, and if two-thirds of the Bishops other than the Metropolitan and the Bishop of the Diocese concerned shall within twenty-one days of the date of the Metropolitan's letter inform him that they concur with his objection, he shall not refer to the Central Consultative Body the point of doctrine so objected to.

Rule 12.—If a reference under Rule 10 of this Chapter be made to the Central Consultative Body of the Lambeth Conference, and the opinion of the Body be not in agreement with the decision of the Court of the Episcopal Synod, the Court shall reconsider its judgement in the light of that opinion, and may modify accordingly any decision it may have made with regard to mitigation, variation or enhancement of sentence.

If no reply be received from the Body within eighteen months of the date of the Metropolitan's letter to it, it shall be deemed that the opinion of the Body is in agreement with the decision of the Court.

Rule 13.—If a reference under Rule 10 of this Chapter be made to the Central Consultative Body of the Lambeth Conference, the appeal shall not be deemed to have been finally determined for the purpose of Rule 3 of this Chapter until the reply of the Body has been received or eighteen months have elapsed from the date of the Metropolitan's letter to the Body, and, in the case of the opinion of the Body not being in agreement with the decision of the Court of the Episcopal Synod, until the Court has reconsidered its judgement as provided in the last preceding Rule.

Rules 14 to 18. Appeals in the Court of the General Council.

Rule 14.—Every appeal in a case concerning conduct and morals shall be heard by the Court of the General Council, which shall be constituted as follows:—

(i) The Metropolitan shall procure the attendance at least of one Bishop, and if possible of two Bishops who shall not include the Bishop from whose Diocese the appeal has come.

(ii) The Metropolitan shall summon in order two clergymen and two laymen, not being persons belonging to the Diocese from the Diocesan Court of which the appeal has come, from panels chosen by the House of Clergy and the House of Lay Representatives respectively at the first session of the General Council after each fresh election of Representatives, under Chapter XXXI, Rule 7.

The Metropolitan shall also appoint as legal adviser to the Court, who shall not be a member of the Court, the Registrar of the Diocese of Calcutta or some other layman, being a baptised Christian, who shall be a judge of a superior Court in India, Burma or Ceylon or a person qualified to practise in those Courts. If no such person be available, the Metropolitan shall appoint such lay person, being a baptised Christian, as may seem to him most suitable.

Rule 15.—The Metropolitan shall continue summoning members of the two panels of clergymen and laymen till he have obtained promises to attend the session of the Court from two clergymen and two laymen or have exhausted the panels, and if he exhaust the panels, he shall himself select persons, who must be communicant members of the Church of the Province not disqualified under Rule 14 (ii) above, to complete the required number of two clergymen and two laymen.

Rule 16.—The quorum of the Court of the General Council shall be two Bishops including the Metropolitan or his commissary and one clergyman and one layman.

No member of the Court who has not been present throughout the whole hearing of a case shall take part in the decision of the Court on that case. If any member of the Court before whom the hearing began shall at any time during the hearing be temporarily incapacitated from attending the hearing, it shall be adjourned till he shall be able to attend, but if his incapacity be prolonged or permanent the hearing may continue in his absence, provided that there be the necessary quorum.

Rule 17.—The procedure of the Court of the General Council shall be that laid down in the rules of procedure and evidence and judicial forms as framed and from time to time amended by the Procedure Committee in accordance with the provisions of Chapter XXXVII of these Canons and Rules and published by the Metropolitan;

provided that if at any time any point of procedure shall not be provided for by those rules, it shall be competent for the Court to decide that point, and the decision of the Court shall remain in force until the publication by the Metropolitan of a rule or amendment made by the Procedure Committee dealing with the point in question;

provided also that, subject to the provisions of Rule 18 of this Chapter, the decision of the Court shall be that of the majority of the members present; and no person shall be pronounced guilty except by a majority of the votes of such members but on any other question than that of guilty or not guilty, the President shall in case of equality of votes have a casting vote in addition to his original vote.

Rule 18.—The whole Court of the General Council shall decide the matter of the appeal before it, and the Metropolitan shall pronounce judgement in accordance with the decision of the Court,

provided that if the Court shall decide that a sentence passed by a Bishop in a Diocesan Court be mitigated, varied or enhanced, only the Metropolitan with the two Bishops shall determine the nature and amount of such mitigation, variation or enhancement of sentence.

It shall be competent to the whole Court to tender its advice to the Metropolitan and the two Bishops with regard to such mitigation, variation or enhancement of sentence.

Rules 19 to 21. General rules for both Courts of Appeal.

Rule 19.—The appellant and the Archdeacon or other person who brought the charge in the Diocesan Court may each plead in person or may be represented by any counsel or pleader, being a baptised Christian, who has been duly admitted to practise in the Courts of India, Burma or Ceylon.

Rule 20.—The Metropolitan shall determine at his discretion whether the public shall be admitted to any part of the hearing of any appeal in the Court of the Episcopal Synod or the Court of the General Council or not.

Rule 21.—All the expenses involved in an appeal which are incurred by the members and assessors of the Court and by officials of the Diocese from which the appeal has come shall be met from the funds of the General Council.

Rules 22 and 23. Of references under Canon II (c).

Rule 22.—References to the Court of the Episcopal Synod under Canon II (*c*) of this Chapter with a view to obtaining from it declaratory judgements may only be made in the following circumstances and by the persons mentioned in this Rule:—

(*a*) (i) If a Bishop shall have informed a clergyman of his Diocese in writing that in his opinion there is serious doubt whether certain teachings given or certain practices followed by that clergyman are consistent with the correct interpretation of the documents mentioned in Canon II (*c*) of this Chapter, and that if they are proved not to be so he will be compelled to proceed against him under Chapter XXXIX unless he desists from them, and the clergyman will not undertake so to desist, then the Bishop or the clergyman may ask for a declaratory judgement on the question whether those teachings or practices are consistent with the correct interpretation of the above-mentioned documents.

(ii) If a Bishop has begun to take proceedings under Rule 2 of Chapter XXXIX with a view to withdrawing the licence of any clergyman, either the Bishop, or the clergyman with the sanction of the Bishop, may ask for a declaratory judgement on a question which in his opinion is directly involved in the matters of complaint against the clergyman.

(iii) If a Bishop shall under Rule 8 of Chapter XXXIX have taken cognizance of a charge against a clergyman, he may at any point in the proceedings under Rule 9 of that Chapter (but prior to causing proceedings to be commenced in the Diocesan Court) ask for a declaratory judgement on a question which in his opinion will be material to his further proceedings in the matter.

(iv) If a Bishop shall under Rule 8 of Chapter XXXIX have taken cognizance of a charge against a clergyman, the latter may, with the sanction of the Bishop, at any point in the proceedings under Rule 9 of that Chapter, or before the expiry of the period of notice given under Rule 11 of that Chapter, ask for a declaratory judgement on a question which in his opinion will be material to further proceedings in the matter.

(*b*) If a Bishop shall have issued general directions involving questions of Faith or Order to the clergy of his Diocese in a Charge or otherwise, ten or more members of the

Diocesan Synod may ask for a declaratory judgement on the question whether the directions of the Bishop are consistent with the correct interpretation of the documents mentioned in Canon II (*c*) of this Chapter.

(*c*) If a proposal be made in the General Council for the amendment of a Declaration on the Constitution or for the passing of a new Canon or the amendment of an existing Canon, which raises a doubt concerning the interpretation of a Declaration, a majority of the General Council (voting together and not by orders) may require a declaratory judgement of the Court of the Episcopal Synod with regard to the interpretation of the Declaration concerned.

Rule 23.—In any case of a reference under Rule 22, the Court of the Episcopal Synod may refuse to give a declaratory judgement on the ground that either side of the argument has been insufficiently presented before them; and in the case of a reference under Rule 22 (*c*), it may at its discretion defer its consideration of the matter, or the issue of its judgement, till after the close of the session of the General Council in which the reference was made.

Chapter XLI.

OF THE TRIAL OF BISHOPS.

Canon I.—By ancient custom of the Church no Bishop can be deposed except by judgement of the conprovincial Bishops.

Canon II.—When a Bishop of this Province is accused of any offence cognizable under these Canons and Rules he shall be tried by the Court of the Episcopal Synod with such Assessors as may be provided for by Rule.

Canon III.—Subject to the provisions of Declarations 4 and 24, all decisions and judgements of the Court of the Episcopal Synod in trials of Bishops shall be final and conclusive except for such consultative reference on points of doctrine as may be provided for by Rule, and except also that if any three Metropolitan Bishops of Churches in communion with the Church of this Province request that a judgement pronounced by the Court of the Episcopal Synod be reconsidered by that Court, it shall be so reconsidered.

Rule 1.—Offences which are cognizable by the Court of the Episcopal Synod for the trial of Bishops are as follows:—

(*a*) Teaching or preaching any doctrine contrary to the doctrine of the Catholic Church as it has been understood and accepted by the Church of this Province, whether such teaching be given orally or by means of books or other writings which inculcate such doctrine.

(*b*) Schism; that is, separating himself from the communion of the Church or acquiring membership in a Christian body which is not in communion with the Church of this Province or supporting or assisting such a body in teachings or actions inconsistent with the tenets of the Church of this Province.

(*c*) Acquiring membership in any body which is engaged in the maintenance and propagation of tenets inconsistent with the tenets of the Church of this Province or supporting or assisting such a body in teachings or actions inconsistent with the tenets of the Church of this Province.

(*d*) Any criminal, dishonest, immoral, or disorderly act, habit or conduct.

(*e*) Any act, habit or conduct which has given just cause of scandal or offence to the faithful or which is unworthy of a Bishop and likely to bring the ministry of the Church into disrepute.

(*f*) Habitual neglect in the performance of ecclesiastical duties.

The expression "ecclesiastical duties" in this Rule shall, in all respects, include the observation of all the promises as to conduct which every Bishop solemnly makes at the time of his consecration and which every clergyman solemnly makes at the time of his ordination in so far as the latter are applicable to a Bishop; and the expression "neglect" shall include wilful default in the performance of such duties.

(*g*) Permitting or licensing a clergyman to minister in his Diocese who is under sentence of deposition or of excommunication.

(*h*) Wilful or negligent violation of the Canons or Rules of the Church of this Province or of the constitution or rules of the Council of his Diocese.

(*i*) Wilful breach of his oath of canonical obedience to the Metropolitan Bishop of the Province, or acting as Bishop of his Diocese or other episcopal charge when provisionally inhibited under Rule 34 of this Chapter from so acting.

(*j*) Refusing to resign when required to resign by sentence of the Court of the Episcopal Synod, or after deprivation continuing to act as if he were still Bishop of that Diocese or other episcopal charge of which he has been deprived, or after deposition performing any function of a Bishop or Priest, or during suspension from Holy Communion or after excommunication performing or purporting to perform any episcopal act.

(*k*) Any offence not mentioned above which under the Canons and Rules of the Church of this Province is a ground for suspension from Holy Communion or for excommunication.

A charge under paragraphs (*a*), (*b*), or (*c*) above may not be made on the ground that the teaching or action of the accused Bishop is contrary to or inconsistent with a Determination of the Episcopal Synod which has not been incorporated by the General Council in a Canon, or with a portion of such a Determination which has not been so incorporated.

Rules 2 to 9. General Rules.

Rule 2.—The duties assigned to the Metropolitan by the Rules of this Chapter shall not be performed by him or any other Bishop if he or that Bishop either has preferred or joined in preferring a charge against a Bishop or is himself the Bishop against whom a charge has been preferred.

Rule 3.—If the Metropolitan or his Vicar Provincial (as the case may be) is disqualified under Rule 2 from performing the duties assigned to him under the Rules of this Chapter, or if the Metropolitical See is vacant, then the Vice-President of the General Council, if he be not himself disqualified under Rule 2, shall perform them, or, if he be so disqualified, the charge or charges shall be sent to that Diocesan Bishop of the Province who is most senior by consecration of those not disqualified under Rule 2, and is then present in the Province, and that Bishop shall either himself perform all the duties assigned to the Metropolitan in the Rules of this Chapter, or shall perform such of them as are necessary to be done before the meeting of the Court, and immediately upon its meeting request the Bishops there assembled to appoint a Bishop who shall discharge the remaining duties of the Metropolitan.

Rule 4.—Proceedings may not be instituted unless the offence be alleged to have been committed within three years of the laying of the information before the Metropolitan; except leave be given for a further extension of time by the Metropolitan under his hand and seal.

Rule 5.—No charge shall be received against a Bishop of the Province, unless it be preferred, if under paragraphs (*a*), (*b*), or (*c*) of Rule 1 of this Chapter, by at least five clergymen of the Province in Priests' Orders, or by a Bishop of the Province; or, in other cases, by at least five clergymen of the Province in Priests' Orders and five lay representatives in any Diocesan Council, or by the Metropolitan.

Rule 6.—All charges shall be made in writing signed by the presenters and shall specify all particulars of time, place and circumstances alleged and the names and addresses of the presenters.

Rule 7.—The statement of charges shall, as soon as they are received by the Metropolitan, be sent to the Bishop accused and he shall have the option of submitting a reply to the Metropolitan.

Rule 8.—If the Metropolitan shall deem any charge preferred against a Bishop to be frivolous or factious, he shall submit the statements of the accused to all the members of the Episcopal Synod, and no trial shall take place on such charge unless it be demanded by two or more members of the Episcopal Synod.

Rule 9.—A case shall be regarded as one concerning Faith or Order if the offence of which the Bishop is accused is any of those defined in paragraphs (*a*), (*b*), or (*c*) of Rule 1 of this Chapter, and otherwise shall not be so regarded;

provided that if in the opinion of the Metropolitan there be *prima facie* reason to consider that a case should be regarded as one concerning Faith or Order though the offence alleged be not any of those defined in the above-mentioned paragraphs, he shall refer the question to the Committee of Reference and the case shall be dealt with according to their decision.

Rules 10 to 14. The Court.

Rule 10.—When summoning the Court of the Episcopal Synod for the trial of a Bishop, the Metropolitan shall not summon the Bishop accused nor any Bishop or Bishops who have preferred or joined in preferring charges against him, nor shall any of these aforesaid Bishops have the right to sit as members of the Court on that occasion, but the Metropolitan shall summon all the other Diocesan Bishops of the Province.

Rule 11.—No trial of a Bishop shall take place except the Metropolitan summon to sit with the Bishops assessors as provided hereinafter, who shall give their opinion on the matters involved.

Rule 12.—In cases concerning Faith or Order the Metropolitan shall summon assessors in the same manner and of the same number and from the same panels as the provisions of Chapter XXV of these Canons and Rules direct in the case of the Episcopal Synod.

The Metropolitan shall also appoint as legal advisers to the Court, who shall not be members of the Court, some person or persons being baptised Christians, who shall be judges of the superior Courts of India, Burma or Ceylon or persons qualified to practise in those Courts. If no persons so qualified be available, the Metropolitan shall appoint such lay person or persons, being baptised Christians, as may seem to him most suitable.

Rule 13.—In cases not concerning Faith or Order the Metropolitan shall summon from the panels of clergy and laity chosen by the General Council under Chapter XXXI, Rule 7 three clergymen in Priests' Orders and three laymen, who shall be assessors to the Court.

The Metropolitan shall also appoint as legal advisers to the Court, who shall not be members of the Court, some person or persons, being baptised Christians, who shall be judges of the superior Courts of India, Burma or Ceylon or person qualified to practise in those Courts. If no persons so qualified be available the Metropolitan shall appoint such lay person or persons, being baptised Christians, as may seem to him most suitable.

Rule 14.—The quorum of the Court for any trial of a Bishop shall be three Bishops, including the Metropolitan,

save that in cases concerning Faith or Order no judgement shall be pronounced which contains, or is tantamount to, or is accompanied by a new Determination on a question of Faith or Order unless there be present in the Court a majority of the members of the Episcopal Synod and unless at the commencement of the trial there shall have been present in the Court not less than three clerical assessors.

Rules 15 to 22. The Trial in the Court.

Rule 15.—If it appear to the Metropolitan, after consultation with two other Bishops of the Province, that the facts alleged justify such action, he may, pending and during the hearing of the case, in virtue of his powers as Metropolitan, assume jurisdiction over the Diocese of the accused Bishop in the same manner as if he were on formal visitation in the Diocese.

Rule 16.—The trial shall take place, if possible, within four months of the receipt by the Metropolitan of the charges, but the Metropolitan may in his discretion, if it appear to him that the difficulties of communication require it, postpone the trial to a later date, but in no case beyond one year from the receipt by him of the charges.

Rule 17.—The procedure of the Court shall be that laid down in the rules of procedure and evidence and judicial forms as framed and from time to time amended by the Procedure Committee in accordance with the provisions of Chapter XXXVII of these Canons and Rules and published by the Metropolitan;

provided that if at any time any point of procedure shall not be provided for by those rules it shall be competent for the Court to decide that point, and the decision of the Court shall remain in force until the publication by the Metropolitan of a rule or amendment made by the Procedure Committee dealing with the point in question.

Rule 18.—If the accused Bishop refuse either to submit an answer or to appear before the Court, the Court shall, if satisfied that he has had notice of the charges and of the date of the trial, proceed to hear the case and pronounce sentence.

The Court shall not be prevented from proceeding with the trial and passing any sentence otherwise competent by any of the following acts done or attempted by an accused Bishop after notice of the charge, that is to say, resignation of his office, abandoning the communion of the Church or resigning his Orders.

Rule 19.—The Bishop accused may submit a defence in writing and may also appear in person or through any counsel or pleader, being a baptised Christian, who has been duly admitted to practise in the Courts in India, Burma or Ceylon.

Rule 20.—The Metropolitan shall determine at his discretion whether the public shall be admitted to any part of a trial in the Court of the Episcopal Synod or not.

Rule 21.—The assessors of the Court of the Episcopal Synod shall be entitled to hear all arguments, and after deliberation with the Court they shall give their opinion, and the Court shall then consider the arguments and pronounce judgement. Each Bishop shall be at liberty to deliver his judgement separately. The judgement of the Court shall be that of the majority of the members of the Episcopal Synod present, and the accused shall not be pronounced guilty on any charge except by the votes of a majority of such members; but on any other question save that of guilty or not guilty, the President shall in case of equality of votes have a casting vote in addition to his original vote.

Rule 22.—Whenever it is necessary for the purpose of deciding upon any charge to define the meaning of words used in the Constitution or in these Canons and Rules or in any document incorporated by reference therein, and extrinsic evidence is properly receivable in aid of such definition, a Determination of the Episcopal Synod or a part thereof which has not been incorporated by the General Council in a Canon shall be receivable in evidence in like manner as the writings of theologians or the decrees and other pronouncements of Councils, Synods or other bodies not in their nature binding upon the Church of this Province are receivable in aid of such definition.

The Court of the Episcopal Synod shall not refuse to hear arguments, if such be submitted, which may traverse the substance or the terms of a Determination of the Episcopal Synod which has not been incorporated by the General Council in a Canon, or of a portion of such a Determination which has not been so incorporated: and in deciding on any charge shall not regard itself as bound by such a Determination or portion of a Determination of the Episcopal Synod as if it had the authority of a Canon, but it shall take it into consideration as a previous decision of the Episcopal Synod, whether framed by it when sitting as the Synod or as a Court.

Rules 23 to 34. Sentences.

Rule 23.—If the accused Bishop be found guilty, the Court shall without the assessors pass sentence according to the opinion of the majority, provided that such sentence be in accordance with the Canons and Rules;

provided also that no sentence other than simple admonition shall be pronounced unless three at the least of the Bishops present concur in it.

Rule 24.—For the offences set forth in Rule 1 of this Chapter the following sentences may be passed and punishments imposed upon Bishops found guilty, *viz.*, admonition, compulsory resignation, deprivation, deposition, and, for offences under paragraphs (*i*) or (*j*) of Rule 1 of this Chapter, excommunication.

The Court may further pronounce sentence of suspension from Holy Communion or of excommunication if it seems to them appropriate to the offence.

Rule 25.—Admonition may either be simple, that is, unaccompanied by any penalty or condition, or be accompanied by a demand that the Bishop sentenced shall within a month from the date of the sentence send to the Metropolitan in writing a retractation of the teaching which has been condemned by the Court or an undertaking not to repeat the offences of which he has been found guilty, and if he fail to send such retractation or undertaking to the Metropolitan within the prescribed period, or if the Metropolitan regard such retractation or undertaking as insufficient, the Metropolitan shall on behalf of the Court pass on him a sentence of compulsory resignation,

provided that the Bishop sentenced may appeal to the Court against the Metropolitan's decision that his retractation or undertaking is insufficient.

Rule 26.—Compulsory resignation means a sentence demanding the resignation by the Bishop of his office, and it may be passed either immediately by the Court or under the provisions of Rule 25 by the Metropolitan on behalf of the Court.

Rule 27.—Deprivation means the final removal of a Bishop from his charge and office as Diocesan Bishop or as Coadjutor or Assistant Bishop.

When sentence of deprivation is pronounced, the connexion between the Bishop so deprived and his Diocese or other charge shall be *ipso facto* terminated: all appointments, rents, profits and emoluments which he may have held by virtue of such charge from which he has been removed shall wholly cease and determine and he shall have no claim to any pension to which he might otherwise be entitled, and the sentence shall set forth whether he is deprived of all or any part of such pension.

Rule 28.—Deposition means the withdrawal from a Bishop of all power to exercise his sacred calling as Bishop or as Priest either publicly or privately within the Church of this Province.

Rule 29.—It is the duty of the Metropolitan, whenever sentence other than admonition has been pronounced, to communicate such sentence to the Bishop of every Diocese of the Province and it shall be the duty of such Bishop (or, in his absence, of his Commissary) to cause such sentence to be made known to every clergyman under his jurisdiction.

The Metropolitan shall also communicate it to all Metropolitans of all the provinces of the Church in communion with this Province.

Rule 30.—At any time within one month after sentence is pronounced in the Court of the Episcopal Synod in a case concerning Faith or Order, the Bishop sentenced may demand from the Metropolitan that he should make a reference to the Central Consultative Body of the Lambeth Conference on some stated point or points of doctrine directly involved in the judgement of the Court. If such demand be made, the Metropolitan shall, except in the case referred to in the next following Rule, forthwith make such reference, and shall send to the Central Consultative Body such report of the proceedings of the trial as he may think suitable, adding thereto any statement which the Bishop sentenced may wish to have placed before the Central Consultative Body.

Rule 31.—If the Metropolitan shall, on the ground that a point of doctrine alleged to be directly involved in the judgement of the Court is not so involved, object in part or in whole to a reference to the Central Consultative Body demanded under the last preceding Rule, he shall forthwith inform every Bishop of the Episcopal Synod of the demand and of his objection thereto, and if two-thirds of the Bishops other than the Metropolitan and the Bishop sentenced shall within twenty-one days of the date of the Metropolitan's letter inform him that they concur with his objection, he shall not refer to the Central Consultative Body the point of doctrine so objected to.

Rule 32.—If a reference under Rule 30 of this Chapter be made to the Central Consultative Body of the Lambeth Conference and the opinion of the Body be not in agreement with the decision of the Court of the Episcopal Synod, the Court shall reconsider its judgement in the light of that opinion, and the sentence passed may be modified accordingly.

If no reply be received from the Body within eighteen months of the date of the Metropolitan's letter to it, it shall be deemed that the opinion of the Body is in agreement with the decision of the Court.

Rule 33.—A Bishop who demands under Rule 30 of this Chapter that a reference be made to the Central Consultative Body of the Lambeth Conference may at the same time apply to the Metropolitan for an order suspending the sentence passed on him in whole or in part, and the Metropolitan may if he think fit make such an order.

Rule 34.—If the Metropolitan make an order under the last preceding Rule, he may, except where the sentence consists only of an admonition, in his absolute discretion as part of the order suspending the sentence and as a condition of such suspension, pronounce a provisional inhibition whereby the Bishop sentenced shall pending the reference be inhibited from performing such episcopal functions in his Diocese or elsewhere as may be stated in the order of provisional inhibition.

From a refusal of the Metropolitan to grant such an order (but not against the pronouncement of a provisional inhibition) the Bishop sentenced may within fourteen days appeal to the Court of the Episcopal Synod, which shall have the like powers in all respects as the Metropolitan.

When such an order is made it shall continue in force till the reply of the Central Consultative Body of the Lambeth Conference has been received or eighteen months have elapsed from the date of the Metropolitan's letter to the Body, and, in the case of the opinion of that Body not being in agreement with the decision of the Court of the Episcopal Synod, till the court has reconsidered its judgement as provided in Rule 32.

Chapter XLII.

OF UNION WITH OTHER CHRISTIANS.

Canon I.—The following shall be the procedure for the adoption of a scheme of union between the Church of this Province as a whole or certain of the Dioceses thereof and other Churches in India, Burma or Ceylon:—

(*a*) A resolution of general approval of the scheme proposed must be presented to the General Council by the Episcopal Synod, and passed by simple majorities in each House of the Council. The resolution shall be dealt with as one involving a question of Faith or Order.

The General Council may attach to a resolution of general approval conditions, such as the proviso that a certain point or points shall be reconsidered by representatives of the negotiating Churches and that the further proposals on that point or those points shall receive the approval of the Episcopal Synod and of the Standing Committee of the Council.

(*b*) Every proposed scheme of union shall be referred to the Lambeth Conference or its Central Consultative Body for its opinion or advice thereon, and such opinion or advice shall be considered by the General Council before a final decision is taken on any such scheme.

(*c*) The proposed scheme of union, together with the resolution of general approval thereof, shall be referred to all the Diocesan Councils, and the opinion or advice of the Lambeth Conference or its Central Consultative Body shall also be reported to them as soon as it is available.

(*d*) On the receipt of the opinion or advice of the Lambeth Conference or its Central Consultative Body, it shall be competent to the Episcopal Synod and the Standing Committee of the General Council, sitting together,

(i) to suggest certain points for the consideration of the representatives of the negotiating Churches, and

(ii) on receiving a report from those representatives, either on those points or on any that may have been referred to them under para (*a*) above, to make modifications in the scheme of union and to refer such modifications to the Diocesan Councils for their consideration.

In any such joint session of the Episcopal Synod and the Standing Committee of the General Council, the non-episcopal members of the latter shall be regarded as assessors of the Episcopal Synod, if at any stage of the proceedings it is desired to take action under the provisions of Chapter XXV, but otherwise the Synod and the Standing Committee shall sit, discuss and vote as one joint body, save that a resolution to make any modification in the scheme of union must be passed by majorities both of the members of the Synod present and of the non-episcopal members of the Standing Committee.

(*e*) Resolutions of general approval of the proposed scheme of union (whether at the date of their consideration thereof the scheme be in the form in which it received the general approval of the General Council or in a modified form as the result of action taken under para (*d*) above) must be passed by the Diocesan Councils of not less than two-thirds of the fully organised Dioceses of the whole Province.

(*f*) A resolution of final adoption of the proposed scheme of union, whether modified or not from the form in which it had previously received the general approval of the Council, must be passed by simple majorities in each House of the General Council and by a three-quarters majority of the members of the whole Council present and voting, at a session held at least twenty-one months after that at which the general approval had been given. The resolution shall be dealt with as one involving a question of Faith or Order.

Chapter XLIII.

OF THE DIVISION OF THE PROVINCE.

Canon I.—The following shall be necessary parts of the procedure for the division of this Church into two or more ecclesiastical Provinces:—

(1) The main features at least of the scheme of division must be adopted at two sessions of the General Council (ordinary or special) separated by not less than twenty-three months.

(2) The main features of the scheme must be agreed to by the Diocesan Councils of not less than two-thirds of the fully organised Dioceses of the whole Province before the second adoption of those main features by the General Council.

Canon II.—The main features of a scheme of division of the Province shall be understood to be:—

(*a*) the number of Provinces to be formed, and the names of the Dioceses which are to be assigned to each;

(*b*) the composition and powers of the central Synod, Council or other authority or authorities which will deal with matters common to the whole Church;

(*c*) the portions of the Constitution of this Church which will remain as the Constitution of the whole Church, and the manner in which that Constitution may subsequently be altered;

(*d*) a general outline of the constitution of each of the Provinces; and

(*e*) the relation between the Councils or other authorities of the separate Provinces and the central authority or authorities of the whole Church, and the powers exercisable by each.

Rule 1.—If under the provisions of the Eighteenth Declaration and these Canons the General Council shall at any time decide to divide the existing Province into two or more Provinces, in addition to the conditions laid down in that Declaration, the following conditions shall be observed:—

(*a*) The minimum number of Dioceses suitable to form a Province is four.

(*b*) No number of Dioceses is too great to form a Province so long as the Bishops and other representatives of the Dioceses are able conveniently to meet for mutual consultation and for the transaction of provincial business.

(*c*) The number of the members of the Provincial Council should be sufficiently great to represent all the different elements in the Province but not so great as to render a representative meeting impracticable on the grounds of accommodation or expense.

(*d*) In the formation of a Province care should be taken that the area is sufficiently large and the development of the Dioceses and the congregations therein sufficiently advanced to command respect for the decisions of the Provincial Council.

Chapter XLIV.

OF THE ALTERATION OF THESE CANONS AND RULES.

Canon I.—The General Council shall have power to alter or repeal any Canon of this Church by the same procedure as is laid down in Chapter XXX for the enactment of a new Canon, provided always that no alteration or repeal of any Canon of this Church which is inconsistent with any of the Declarations on the Constitution or with any part of any of them may be proposed, unless the Declaration or Declarations in question shall be altered according to the provisions of Declaration 25 in such a manner as to make the proposed alteration or repeal of the Canon admissible.

If in connexion with the adoption of a scheme of union of this Church or of certain of the Dioceses thereof with other Churches in India, Burma or Ceylon it be necessary to make alterations in these Canons and Rules, such alterations may be made by the General Council by the following procedure:—

A resolution stating the proposed alterations as exactly as possible must be passed by the General Council, together with any connected resolution for the alteration of any Declarations of the Constitution, at the same session as that at which it passes a resolution of general approval of the proposed scheme of union, and must be referred to all the Diocesan Councils together with that scheme. The General Council may at a second session held at least twenty-three months after that at which the resolutions referred to above were passed, after consideration of the resolutions, if any, passed on the resolution for alterations by the Diocesan Councils, finally adopt that resolution by simple majorities in each House of the Council with or without amendments, and even if such amendments enlarge its scope by the importation of fresh subject matter.

If any part of this resolution relate to a matter involving a question of Faith or Order, the terms in which that part is finally passed must have been settled by the House of Bishops.

Any alterations in the Canons and Rules made by this special procedure shall come into operation on the date of the inauguration of the union in connexion with which they are made.

Canon II.—The alteration or repeal of any Canon of this Church, when passed by the General Council as provided in Canon I, shall be promulgated in the same manner as a new Canon is to be promulgated under Chapter XXX, Canon II of this Constitution.

Canon III.—The General Council shall have power to alter or repeal any Rule of this Church by the same procedure as is laid down in Chapter XXX for the enactment of a new Rule, provided always that no alteration or repeal of any Rule of the Church of this Province may be proposed which is inconsistent with any Declaration or Canon of this Church, unless such Declaration or Canon be altered in such a manner as to render the proposed alteration or repeal of the Rule admissible.

Canon IV.—If the Committee of Reference shall decide that any Canon or Rule of this Church has been by the General Council so altered or repealed as to be inconsistent with any of the Declarations or any part of them, or any Rule so altered or repealed as to be inconsistent with any Declaration or Canon, the Committee of Reference shall forward to the Metropolitan a certificate of inconsistency, and the Metropolitan shall communicate the said certificate to all the Bishops of the Province and, at the first opportunity, to the General Council.

Canon V.—If any alteration in the Constitution or these Canons and Rules be such as to add or omit any Declaration, Chapter, Canon, Rule, Schedule or Appendix thereof, or to alter the numbering of any of these, the enactment of such alteration shall be deemed to include the enactment of all consequential alterations of numbering, including references, of the Chapters, Canons, Rules, Schedules and Appendices.

Rule 1.—In case of dispute on the question whether any proposed alteration or repeal of any Canon or Rule is inconsistent with any Declaration, or that of any Rule inconsistent with any Declaration or Canon, the question shall be referred to the Committee of Reference, whose decision shall be final.

Rule 2.—It shall be the duty of the Committee of Reference to report its decision without delay to the President of the General Council, who shall in turn report it to the Council as soon as possible.

Chapter XLV.

OF DEFINITIONS.

Canon I.—The following terms, when used in the above Chapters of these Canons and Rules, shall, where the context so admits, have the following meanings attached thereto:

(*a*) "Date of severance" shall mean the date fixed under the Indian Church Measure 1927 for the dissolution of the legal union between the Church of England and the Church of England in India.

(*b*) "The Church of India, Burma and Ceylon" or "the Church of the (this) Province" or "this Church" shall mean that ecclesiastical body or those ecclesiastical bodies which till the date of severance was or were known to the law as the Church of England in India and the Church of England in Ceylon and constituted one ecclesiastical Province at the before-mentioned date ruled by fourteen Bishops, namely, the Bishop of Calcutta, the Bishop of Madras, the Bishop of Bombay, the Bishop of Colombo, the Bishop of Lahore, the Bishop of Rangoon, the Bishop in Travancore and Cochin, the Bishop in Chota Nagpur, the Bishop of Lucknow, the Bishop in Tinnevelly, Ramnad and Madura, the Bishop of Nagpur, the Bishop of Dornakal, the Bishop in Assam, and the Bishop of Nasik, or that Church which at any time after the date of severance is substantially identical and continuous with or representative of the aforesaid Church of England in India and Church of England in Ceylon as they were at the date aforesaid.

(*c*) "Communicant member of the Church of India, Burma and Ceylon," or "Communicant member of the Church of this Province" shall mean a member of the Church of this Province who has been duly baptised and confirmed and is in the habit of receiving the Holy Communion.

(*d*) "Adult" when used in the Canons or Rules with reference to members of Diocesan Councils, or to those who vote for their election, or to Lay Representatives of Diocesan Councils in the General Council, shall mean a person who has attained the age of eighteen years or any higher age which may be fixed by each Diocesan Council.

(*e*) "Metropolitan" shall mean the Metropolitan Bishop of the Church of India, Burma and Ceylon or any other

Bishop who may be duly appointed in accordance with the Canons and Rules of this Church to act for him.

(*f*) "Parish Priest" shall mean a Priest who is in pastoral charge of a congregation or congregations in a defined place or places, having been either licensed or instituted or appointed thereto by the Bishop of the Diocese.

(*g*) "Parish" shall mean a congregation or congregations in a defined place or places under the pastoral charge of one Parish Priest.

(*h*) "Form of worship" shall mean a form or forms of service or a form or forms for a part or parts of a service, including a single prayer, together with directions concerning its or their manner of use and accompanying ceremonial, and

"Form of service" shall mean the form of one particular service, together with directions concerning its manner of use and accompanying ceremonial.

(*i*) In the phrase "Question of Faith or Order",

"Question of Faith" shall mean a question which is solely concerned with one or more of those truths which the Church teaches every Christian man to believe, and

"Question of Order" shall mean a question which is solely concerned with one or more of those principles on which the structure of the Church is built up and maintained, particularly the principles of membership, of the Orders of the ministry and their characteristic functions, and of the due administration of the sacraments and other holy rites of the Church.

(*k*) "Matter involving a question of Faith or Order" shall mean any matter which is not solely a question of Faith or Order as defined in the last preceding definition, but yet is so closely connected with or dependent upon some truth of the Christian Faith or some principle of Order of the Church that it cannot be dealt with or decided without discussing or defining such truth or principle, or that the manner in which it is dealt with or decided will modify or be understood to modify the belief which the Church of this Province professes with regard to such truth or principle.

Among matters involving questions of Faith or Order, the following are included, namely, all matters connected with the services and ceremonies of the Church of this Province or the administration of the Sacraments or the sacred rites thereof or the uses of its doctrinal formulae.

(*l*) "Maintained church" shall mean any church or chapel which is from time to time so termed and regarded under the Indian Church Act 1927 and the Indian Church Statutory Rules.

(*m*) "Session of the General Council" shall mean the meeting or series of meetings of the Council held in pursuance of any one summons issued by the Metropolitan.

(*n*) "Meeting of the General Council" shall mean the sitting together of the Council for any period of minutes or hours uninterruptedly.

(*o*) "Quorum" shall mean the number of members who must be present at a meeting of any Council, synod or Committee in order that business may be validly transacted.

(*p*) "Resolution of a Council" shall mean any decision or expression of opinion of that Council which having been reduced to writing, moved and seconded, was duly passed according to the provisions of any Constitution, Canons, Rules, Regulations or Standing Orders by which the proceedings of that Council are governed.

(*q*) "Canon" shall mean a statement adopted formally by the General Council under the provisions of these Canons and Rules as a Canon.

(*r*) "Rule" shall mean an injunction or direction adopted formally by the General Council under the provisions of these Canons and Rules as a Rule.

(*s*) "Regulation" shall mean a detailed instruction issued by a Council, whether General or Diocesan, for the guidance of that Council or its officers in taking action under its Constitution, Canons, or Rules.

(*t*) "Standing Order" shall mean a Regulation relating to the procedure of a Council when in session or to anything necessary to be done before, during or after the session for the proper conduct of the business of the Council when in session.

(*u*) "Schedule" shall mean an annexure to these Canons and Rules which will have the force of a Canon and be alterable by the same procedure by which Canons may be altered and not otherwise.

(*v*) "Appendix" shall mean an annexure to these Canons and Rules which will have the force of a Rule and be alterable by the same procedure by which Rules may be altered and not otherwise.

(*w*) Where lay persons are referred to, the masculine includes the feminine.

SCHEDULE I.

List of the Dioceses of the Province with the Dates of their Formation.

Diocese.	*Date of Formation.*
Calcutta	1814
Madras	1835
Bombay	1837
Colombo	1845
Lahore	1877
Rangoon	1877
Travancore and Cochin	1879
Chota Nagpur	1890
Lucknow	1893
Tinnevelly	1896
Nagpur	1903
Dornakal	1912
Assam	1915
Nasik	1929
Meerut	194–
Bhagalpur	194–

SCHEDULE II.

List of the Existing Dioceses of the Province with their Present Boundaries and Status in relation to the General Council under Chapter IV.

(*In the statement of territories given below, a British Province is taken as including the Indian States lying within its boundaries.*)

CALCUTTA.

Territory ... The Province of Bengal (excluding the Chittagong Division); the Province of Bihar and Orissa (excluding the Chota Nagpur Division, the Orissa Feudatory States, and the district of Sambalpur).

Status ... Fully organised.

MADRAS.

Territory ... The Presidency of Madras (excluding the district of Aurangabad, the revenue districts of Kistna, West Godavary, the taluqs of Bhadrachellum, Malakanagiri and Rumpa in the district of East Godavary, the districts of Guntur, Kurnool and Cuddapah, the villages of the district of Malabar included in the diocese of Travancore and Cochin, and the districts of Tinnevelly, Ramnad and Madura); the States of Mysore and Coorg, and the Nizam's Dominions W. of 79° longitude; the Cantonment of Secunderabad.

Status ... Fully organised.

BOMBAY.

Territory ... The Presidency of Bombay (excluding the Sind Division and the Districts of Nasik, Ahmadnagar and East and West Khandesh); Aden; the Western India States, the Mewar Hilly Tracts in the State of Udaipur, and the States of Dungarpur and Sirohi in Rajputana.

Status ... Fully organised.

COLOMBO.

Territory ... Ceylon.
Status ... Fully organised.

LAHORE.

Territory ... The Province of the Punjab; the North-West Frontier Province; British Beluchistan; the Sind Division of the Bombay Presidency; the Delhi Province; the State of Kashmir.

Status ... Fully organised.

RANGOON.

Territory ... Burma; the Andaman, Nicobar and Cocos Islands.

Status ... Fully organised.

TRAVANCORE AND COCHIN.

Territory ... The Indian States of Travancore and Cochin together with British Cochin and the villages of Chowghat, Talikulam and Tirprayar in the British district of Malabar.

Status ... Fully organised.

CHOTA NAGPUR.

Territory ... The Chota Nagpur Division together with the Orissa Feudatory States, the Jaspur State and the district of Sambalpur.

Status ... Fully organised.

LUCKNOW.

Territory ... The United Provinces of Agra and Oudh.

Status ... Fully organised.

TINNEVELLY.

Territory ... The districts of Tinnevelly, Ramnad and Madura in the Madras Presidency.

Status ... Fully organised.

NAGPUR.

Territory ... The Central Provinces and Berar; the Central India Agency; Rajputana and the Rajputana Agency, excluding the Mewar Hilly Tracts in the State of Udaipur, and the States of Dungarpur and Sindhi in Rajputana.

Status ... Fully organised.

DORNAKAL.

Territory ... The Nizam's Dominions East of 79° longitude; the revenue districts of Kistna, West Godavary, the taluqs of Bhadrachellum, Malakanagiri and Rumpa in the district of East Godavery, the districts of Guntur. Kurnool and Cuddapah in the Madras Presidency, and the State of Banganapalle.

Status ... Fully organised.

ASSAM.

Territory ... The Province of Assam; the Chittagong Division of Bengal.

Status ... Fully organised.

NASIK.

Territory ... The districts of Nasik, Ahmadnagar and East and West Khandesh in the Bombay Presidency, and the Division of Aurangabad.

Status ... Fully organised.

MEERUT.

Territory	...	The Delhi Province, the districts of Karnal, Rohtak, Gurgaon, Hissar, Agra, Muttra, Aligarh, Bulandshahr, Meerut, Moradabad, Bijnor, Muzaffarnagar, Saharanpur, Garhwal and Dehra Dun, and Tehri and Rampur States.
Status	...	Missionary.

BHAGALPUR.

Territory	...	The Santhal Parganas, the districts of Bhagalpur, Purnea, Monghyr, and such other isolated areas as are populated by Santhals: see Note about other districts of the Province of Bihar.
Status	...	Fully organised.

Appendix A. 1.

RULES UNDER CHAPTER VIII FOR THE DIRECT ELECTION OF A BISHOP BY A DIOCESAN COUNCIL.

Composition of the Diocesan Council.

Rule 1.—A Diocesan Council when summoned to elect a Bishop directly must include as voting members of its House of Clergy deacons of the Diocese holding the Bishop's licence, whether such deacons or any of them be members of the Council under its constitution or not. But the number of deacons so included must not exceed one-tenth of the number of priests in the Diocese who are members of the Diocesan Council, and the deacons included in this number shall be those most senior by ordination, provided that if two or more were ordained on the same date they shall be summoned to the Council according to seniority of age.

Nominations by the Metropolitan.

Rule 2.—Before the meeting of the Diocesan Council the Metropolitan may, if he think fit, make nominations of suitable persons, who shall not be clergymen working at the time in the Diocese. These nominations shall be sent by him to the person to whom he has sent his mandate to elect (hereinafter called the convener) so as to reach him not later than three weeks before the day fixed for the session of the Diocesan Council.

Delegates of the Metropolitan.

Rule 3.—If the Metropolitan make any such nominations, he may delegate one or two persons to present these nominations to the Diocesan Council and to explain his reasons for submitting the nominations; and if he shall do so, he shall send the names of his delegates to the convener of the Council.

Nominations by members of the Diocesan Council.

Rule 4.—On the same date as that on which he issues the notice summoning the session of the Diocesan Council the convener shall also send notices with nomination forms to the members of the Council inviting them to submit nominations to him. Nominations must be signed by at least five members of the Council, and no nominations shall be accepted other than those made on the forms provided. He shall also notify a date and hour by which such nominations must reach him, which date must not be later than three weeks before the day fixed for the session of the Council. Every person nominated must be informed of the provision of Rule 12 below.

Notice of nominations to electors.

Rule 5.—Not later than the fourth day after the last day fixed for the reception of nominations, the convener shall despatch to every member of the Diocesan Council a list of all the nominations made whether by members of the Diocesan Council or by the Metropolitan. The list of nominations shall show by whom each person has been nominated.

Objections to nominations.

Rule 6.—Any objection raised with regard to the regularity of any nomination must be sent to the convener so as to reach him not less than three days before the day fixed for the session of the Council, and the Standing Committee of the Diocesan Council, or a sub-committee previously appointed by the Standing Committee, shall consider all such objections and their decision shall be final. No objection with regard to the regularity of any of the nominations can be made at the session of the Diocesan Council.

Prayers for guidance: conduct of proceedings.

Rule 7.—The session of the Diocesan Council shall open with a celebration of the Holy Communion at which there shall be special intercession for the guidance of the Council; and every endeavour shall be made to ensure that the election shall be conducted with due solemnity, and to that end the Standing Committee of the Diocesan Council may, if they think fit, order that either the whole proceedings or the final vote shall be held in the Cathedral or in some other church.

General rules for the session.

Rule 8.—The Chairman of the Council shall be a layman appointed by the Standing Committee of the Council. He shall have power to decide finally all points of order and procedure not provided for in these Rules or in the rules of debate of the Council.

The Council shall be opened in the usual way, and the roll shall be called. Scrutineers of the ballot shall be appointed by the Chairman; the scrutineers shall consist of equal numbers of clergymen and laymen; no person who has been nominated for election or who has signed his name to a nomination shall be a scrutineer.

No other business at the session.

Rule 9.—No business except the election shall be transacted at this session of the Council, but it shall be lawful for the Metropolitan, or the Bishop whom he has appointed to take charge of the Diocese in the vacancy, or the Bishop of the Diocese if he shall have resigned but his resignation have not yet taken effect, to summon for other business a session of the Council, the meetings of which must be held either before the commencement or after the close or during an adjournment of the session for the election of a Bishop.

Hearing of Metropolitan's delegates.

Rule 10.—The Chairman shall read aloud the list of nominations, and if the Metropolitan shall have sent delegates to the Council, shall call upon them to state the reasons for the Metropolitan's nominations, and to answer such questions as members of the Council may desire to ask.

No nominations during session.

Rule 11.—Except as provided in Rule 29 below, no nominations may be made during the session of the Council.

No withdrawal of nominations.

Rule 12.—No person who has been nominated is at liberty to withdraw his name, but he may place before the Council reasons why, if elected, he would be compelled to refuse the office.

Discussion.

Rule 13.—On a motion to that effect carried by a majority of the whole Council voting together, the Council may resolve itself into a Committee of the whole House, in order to facilitate a full enquiry into the merits of the persons proposed.

A motion may also be made (whether the Council be in Committee of the whole House or in full session) that either of the two Houses should be allowed to sit separately to discuss the nominations, and if the Chairman, putting this motion to the House in question, finds that it is supported by a majority of those present and voting in that House, he shall appoint times for the sitting of the Council in such a manner as to allow the House concerned to sit separately before the discussion of the nominations is closed.

At any time during the discussion, the Council may appoint a Committee to consider the merits of the nominees and to report to the whole Council.

If at any time a demand be made for the adjournment of the Council in order that information may be produced regarding any of the nominees which is held to be necessary to enable the Council to vote on that nominee, and if this demand be supported by one-quarter of the members present, the Chairman shall, if he is satisfied that there be substantial ground for the demand, adjourn the Council for such period as he may deem proper.

During any discussion of the nominations, all the nominees, if present at the session, shall withdraw.

Allegations against nominees.

Rule 14.—If during any discussion of the nominations any allegation of a specific case of misconduct or heretical teaching be made against any nominee, the Chairman of the Council, or of any House of the Council, or of a Committee appointed under Rule 13, as the case may be, may at his own discretion and shall on the demand of any five members then present direct that that allegation, if not withdrawn, be stated in writing and signed by one of those who made it, and a copy of such writing be given to the nominee in question, who shall thereon have the right to appear before the Council, House, or Committee as the case may be, and to make such statement as he may desire with regard to that allegation.

Adjournment previous to ballot.

Rule 15.—After the report, if any, of a Committee appointed under Rule 13 has been presented, and after the Council has, in the opinion of the Chairman, had full opportunity for discussion, the Chairman shall appoint a time for the ballot, and that meeting of the Council shall then be closed with prayer.

Declarations by electors.

Rule 16.—At the time appointed the session shall be resumed, and the Chairman shall read aloud a solemn declaration to vote without fear or favour (*see Appendix C. 2*) and each member, standing up in his place on his name being called and raising his right hand, shall acknowledge himself bound by this declaration, saying—I will.

Declaration by nominated persons.

Rule 17.—Every nominated person present at the session shall then sign a solemn declaration that he has not sought to influence any person to vote for him, and that he will not vote for himself. (*See Appendix C. 3.*)

In the event of any nominated person being unable to sign this declaration, his name shall be struck off the list of nominations, and it shall not be lawful to include it by any vote of the Council.

Arrangements of ballots.

Rule 18.—Official voting papers shall be provided by the Diocesan Council, and the scrutineers shall reject any vote not recorded on an official voting paper.

Each voter, as he places his voting paper in a ballot box, shall have his name marked by one of the scrutineers on a list of the members of the Council.

Each voter shall place his voting paper in a ballot-box with his own hands.

The Houses of Clergy and of Laymen shall place their votes in separate ballot-boxes.

All other arrangements with regard to the method of recording and counting votes shall be prescribed by the Standing Committee of the Diocesan Council, including the exact manner of recording votes on the voting papers.

During the progress of the ballots, no discussion of the merits of any nominated person shall be allowed.

(*Rules 19 to 28. Procedure of balloting.*)

List of voters.

Rule 19.—Only those members of the Council whose names have been marked by the Secretary or the Chairman, either at the calling of the roll or subsequently, as present and eligible to vote, shall be allowed to vote in any ballot.

Definition of majority.

Rule 20.—In Rules 23 to 28 of this appendix, all majorities mentioned shall be taken to be majorities of the total number of members of the Council or of each House, as the case may be, who are marked on the roll as present at the session and eligible to vote.

Votes for one name only.

Rule 21.—In every ballot each voter shall record a vote for one name only.

General scheme of voting.

Rule 22.—If at the beginning of the balloting there are more than eight names before the Council, the voting shall begin with the First Ballot prescribed below; if there are more than four but not more than eight names before the Council, with the Second Ballot; if there are four or three, with the Third Ballot; if two, with the Fourth Ballot; and if one only, with the Final Vote.

Similarly, when a First or Second Select List shall have been made as provided in the following two Rules, the ensuing Ballot shall be taken according to the number of names on that List.

First ballot—more than eight names.

Rule 23.—In the First Ballot all the names before the Council shall be submitted for voting. If any one name secure a two-thirds majority in both Houses, the Chairman shall proceed to the Final Vote as provided in Rule 28. If no name secure a two-thirds majority in both Houses, the four names which have secured the greatest number of votes in the House of Clergy and the four names which have secured the greatest number of votes in the House of Laymen (whether or not these latter names be partly or wholly identical with the former names) shall be placed on the First Select List, and the remaining names shall be struck off the list of nominees; provided that if in either House two or more names have secured an equal number of votes in the fourth place, all such names shall be placed on the First Select List.

Second ballot—more than four but not more than eight names.

Rule 24.—In the Second Ballot, if any one name secure a two-thirds majority in both Houses, the Chairman shall proceed to the Final Vote as provided in Rule 28. If no name secure a two-thirds majority in both Houses, the two names which have secured the greatest number of votes in the House of Clergy and the two names which have secured the greatest number of votes in the House of Laymen (whether or not these latter names be partly or wholly identical with the former names) shall be placed on the Second Select List, and the remaining names shall be struck off the list of nominees; provided that if in either House two or more names have secured an equal number of votes in the second place, all such names shall be placed on the Second Select List.

Adjournment after second ballot.

Rule 25.—After the declaration of the result of the Second Ballot, the Chairman shall adjourn the Council for a short time, and on the session being resumed, the Third Ballot shall at once be taken.

Third ballot—three or four names.

Rule 26.—In the Third Ballot, if any one name secure a two-thirds majority in both Houses, the Chairman shall proceed to the Final Vote as provided in Rule 28. If no name secure a two-thirds majority in both Houses, the two names which have secured the greatest number of votes, the one in the House of Clergy and the other in the House of Laymen, shall be placed on the Third Select List; provided that if in either House two or more names have secured an equal number of votes in the first place, then one of these names be identical with the first name in the other House, a ballot of the former House shall be taken on these names, and the name which secures the greatest number of votes in this ballot shall be placed on the Third Select List; provided also that if one name have secured the greatest number of votes in both Houses, or have secured in one House the greatest number of votes and in the other House an equal number of votes with one or more other names in the first place, the Council shall proceed to the Final Vote on that name.

Fourth ballot—two names.

Rule 27.—In the Fourth Ballot, if either name secure a majority in both Houses, or a two-thirds majority in the whole Council but a majority in one House only, the Council shall proceed to the Final Vote on that name; otherwise the election shall be declared to have failed.

Final vote.

Rule 28.—If at the commencement of the balloting there be only one name before the Council, or if in any of the ballots under the above Rules any name shall have secured the majorities prescribed for proceeding to the Final Vote, the Final Vote shall be taken, the Chairman putting to the

Council a motion in the following or similar words—That this Council do elect and call (*such an one*) to be Bishop of the Diocese. A ballot shall be taken on this motion, and if the motion be carried by a majority in each House and a two-thirds majority in the whole Council, the Chairman shall declare that the person named in the motion has been elected and called by the Diocese to be its Bishop, and unless any motion be made under Rule 32 below, the Council shall thereupon be closed with prayer.

If in the Final Vote the required majorities be not obtained, the Chairman shall declare the election to have failed.

Nominations before second election.

Rule 29.—The session being resumed, the Chairman shall call for nominations. Nominations must be supported by at least eight members of the Council including the mover, and if they are not so supported shall not be accepted. It shall be open to members to nominate either any of the persons previously nominated under Rules 2 and 4 above, or persons not previously nominated.

Second election.

Rule 30.—The Council shall then proceed to discuss and to vote upon these nominations as in Rules 13 to 28 above.

Final vote of second election.

Rule 31.—If in the Final Vote of the second election the motion be carried by a majority in each House and a two-thirds majority in the whole Council, the Chairman shall declare that the person named in the motion has been elected and called by the Diocese to be its Bishop.

Provision for contingency of refusal.

Rule 32.—When in either a first or a second election a person has been elected to be a Bishop, a motion may be made that if that person should refuse to accept the office, a further election be committed to an Electoral Body to act either under the Rules of Appendix A. 2 or under those of Appendix A. 3 or the appointment of a Bishop be made by a Committee of Bishops of the Province together with the Metropolitan. The majority required for carrying either of these motions shall be a simple majority of the whole Council voting together. If the former of these motions, in either alternative form, be carried, the Council shall proceed to appoint an Electoral Body in accordance with the Rules of

Appendix A. 2 or A. 3. If the latter motion be carried the Council shall proceed to appoint a committee of Bishops in accordance with Rule 8 of Chapter VIII.

Failure of second election.

Rule 33.—If in the Final Vote of the second election the motion be not carried by the required majorities, the Chairman shall declare that the election by the Diocese has failed, and shall in accordance with Rule 8 of Chapter VIII direct the Council to select, if it so desire, a panel of two or more Bishops of the Province, of whom the first two that shall be found able and willing to act may together with the Metropolitan appoint a Bishop for the Diocese.

The Council shall then be closed after special prayer has been offered for the guidance of those who shall appoint a Bishop for the Diocese.

Information to Metropolitan.

Rule 34.—On the closing of the Council, the Chairman, whether any person has been elected to be Bishop or not, shall at once forward to the Metropolitan a complete account of the proceedings of the Council, including the results of all the ballots.

Enquiry from person elected.

Rule 35.—If a person has been elected to be Bishop under Rules 28 or 31 above, the Chairman shall at once write to him forwarding the resolution of the Council by which he has been elected and called to be Bishop, and enquiring from him whether he is willing to accept the office. If he inform the Chairman in writing that he is willing to accept the office, the Chairman shall thereupon forward this writing to the Metropolitan together with a certificate signed by himself and two members of the Standing Committee of the Diocesan Council stating that that person was duly elected by the Council to be the Bishop of the Diocese, and shall therewith request the Metropolitan to move the Episcopal Synod to confirm the election.

If the person elected refuse to accept the office, and provision has been made for this contingency under Rule 32 above, the Chairman shall summon the Electoral Body or take action under Rule 8 of Chapter VIII, as the case may be; but if no such provision has been made, he shall inform the convener of the Diocesan Council of the refusal, and the convener shall again summon the Diocesan Council and proceed as directed in Rules 4 and following of this Appendix.

Appendix A. 2.

RULES UNDER CHAPTER VIII FOR THE ELECTION OF A BISHOP BY AN ELECTORAL BODY.

Time of appointment of an Electoral Body.

Rule 1.—Save in the case provided for in Rule 32 of Appendix A. 1, an Electoral Body must be appointed by its Diocesan Council before the occurrence of the vacancy of the See or the resignation of the. Bishop, whichever event shall first occur.

Mode of appointment and composition.

Rule 2.—A Diocesan Council may appoint an Electoral Body by such process as it may determine by provision in its constitution or by resolution of the Council in that behalf. An Electoral Body shall consist only of persons who are qualified to be members of the Diocesan Council which appoints it. Not less than half the persons appointed shall be lay persons. An Electoral Body shall so far as may be possible fill by co-option any vacancies that may occur in the number of its members, provided that the place of a clergyman be always filled by a clergyman and the place of a layman by a layman.

Quorum and rules of procedure.

Rule 3.—A Diocesan Council shall when it appoints an Electoral Body determine the quorum for the meetings of that Body, and may make other rules of procedure for it, and the Electoral Body shall otherwise determine its own procedure; provided that in no case may its procedure be inconsistent with the provisions of these Canons and Rules.

If any formal votes are taken at the meetings of an Electoral Body, other than on questions of procedure, they shall be taken by ballot.

If a Diocesan Council has failed to determine the Quorum for meetings of its electoral body, the Standing Committee of that Diocesan Council shall determine the Quorum.

Nominations by the Metropolitan.

Rule 4.—Before the meeting of the Electoral Body, the Metropolitan may, if he think fit, make nominations of suitable persons, who shall not be clergymen working at the time in the Diocese. These nominations shall be sent by him to the convener so as to reach him not later than three weeks before the day fixed for the first meeting of the Electoral Body.

Delegates of the Metropolitan.

Rule 5.—If the Metropolitan make any such nominations, he may delegate one or two persons to present these nominations to the Electoral Body and to explain his reasons for submitting the nominations; and if he shall do so, he shall send the names of his delegates to the convener of the Electoral Body.

Nominations by members of the Diocesan Council.

Rule 6.—On the same date as that on which he issues the notice summoning the Electoral Body, the convener shall also send notices with nomination forms to the members of the Council inviting them to submit nominations to him. Nominations must be signed by at least five members of the Council, and no nominations shall be accepted other than those made on the forms provided. He shall also notify a date and hour by which such nominations must reach him, which date must not be later than three weeks before the day fixed for the first meeting of the Electoral Body. Every person nominated must be informed of the provisions of Rule 12 below.

Notice of nominations to electors.

Rule 7.—Not later than the fourth day after the last day fixed for reception of nominations, the convener shall despatch to every member of the Electoral Body a list of all the nominations made whether by members of the Diocesan Council or by the Metropolitan. The list of nominations shall show by whom each person has been nominated.

Objections to nominations.

Rule 8.—Any objection raised with regard to the regularity of any nomination must be sent to the convener so as to reach him not less than three days before the day fixed for the first meeting of the Electoral Body, and the Standing Committee of the Diocesan Council, or a sub-Committee previously appointed by the Standing Committee, shall consider all such objections and their decision shall be final. No objection with regard to the regularity of any of the nominations can be made at the meetings of the Electoral Body.

Proceedings to be in camera.

Rule 9.—No persons who are not members of the Electoral Body shall be present at any of its meetings, except the delegates of the Metropolitan, who shall be called upon by the Chairman to state the reasons for the Metropolitan's nominations and to answer such questions as members of the Electoral Body may desire to ask, but who shall take no other part in the proceedings of the Electoral Body.

Declarations by members of Electoral Body.

Rule 10.—At such point in the proceedings as the Chairman shall think fit, he shall read aloud a solemn declaration to vote without fear or favour (*see Appendix C. 2*) and each member, standing up in his place on his name being called and raising his right hand, shall acknowledge himself bound by this declaration, saying—I will.

Declaration by nominated persons.

Rule 11.—Every nominated person present at the meeting shall then sign a solemn declaration that he has not sought to influence any person to vote for him, and that he will not vote for himself. (*See Appendix C. 3.*)

In the event of any nominated person being unable to sign this declaration, his name shall be struck off the list of nominations, and it shall not be lawful to include it by any vote of the Electoral Body.

No withdrawal of nominations.

Rule 12.—No person who has been nominated is at liberty to withdraw his name, but he may place before the Electoral Body reasons why, if elected, he would be compelled to refuse the office.

Consideration of nominations.

Rule 13.—The Electoral Body must consider all nominations made either by members of the Diocesan Council or by the Metropolitan, but may also consider other names as it may think desirable. The Chairman may adjourn the meetings of the Electoral Body for such period or periods as he may deem proper in order that information may be produced regarding any nominee which is held to be necessary, or for any other purpose.

Majority required for election.

Rule 14.—In an election by an Electoral Body, if a majority of the laymen present and a majority of the clergy present, together with a two-thirds majority of all the members present, agree to elect one person, an election shall be deemed to have been made; if on the other hand no person shall have obtained those majorities, the Body shall be deemed to have failed to make an election.

Information to Metropolitan.

Rule 15.—On the conclusion of the proceedings of the Electoral Body, the Chairman, whether any person has been elected to be Bishop or not, shall at once forward to the Metropolitan a full account of the proceedings of the Electoral Body, including the results of any ballots.

Enquiry from person elected.

Rule 16.—If the Electoral Body elect by the required majorities any person to be Bishop of the Diocese, the Chairman shall at once write to him forwarding the resolution of the Electoral Body by which he has been elected and called to be Bishop, and enquiring from him whether he is willing to accept the office. If he inform the Chairman in writing that he is willing to accept the office, the Chairman shall thereupon forward this writing to the Metropolitan together with a certificate signed by himself and two members of the Electoral Body stating that that person was duly elected to be the Bishop of the Diocese, and shall therewith request the Metropolitan to move the Episcopal Synod to confirm the election.

If the person elected refuse to accept the office, the Chairman shall again summon the Electoral Body, and proceed as directed in Rules 6 and following of this Appendix.

Failure of election.

Rule 17.—If the Electoral Body fail to elect by the required majorities any person to be Bishop of the Diocese, the Chairman shall in accordance with Rule 8 of Chapter VIII direct the Electoral Body to select, if it so desire, a panel of two or more Bishops of the Province, of whom the first two that shall be found able and willing to act may together with the Metropolitan appoint a Bishop for the Diocese, and shall himself proceed to act as he is directed by that Rule.

Appendix A. 3.

RULES UNDER CHAPTER VIII FOR THE ELECTION BY A DIOCESAN COUNCIL OF PERSONS FROM AMONG WHOM A BISHOP WILL BE APPOINTED.

Composition of Diocesan Council.

Rule 1.—A Diocesan Council when summoned to elect persons from among whom a Bishop is to be appointed for the Diocese, must include as voting members of its House of Clergy deacons of the Diocese holding the Bishop's licence, whether such deacons or any of them be members of the Council under its constitution or not. But the number of deacons so included must not exceed one-tenth of the number of priests in the Diocese who are members of the Diocesan Council, and the deacons included in this number shall be those most senior by ordination, provided that if two or more were ordained on the same date they shall be summoned to the Council according to seniority of age.

Number of persons to be elected.

Rule 2.—The number of persons whom a Diocesan Council may elect, from among whom one shall be chosen to be Bishop of the Diocese by the Metropolitan together with two Bishops appointed by the Diocesan Council, shall be not less than two and not more than four.

Nominations by the Metropolitan.

Rule 3.—Before the meeting of the Diocesan Council the Metropolitan may, if he think fit, make nominations of suitable persons, who shall not be clergymen working at the time in the Diocese. These nominations shall be sent by him to the convener so as to reach him not later than three weeks before the day fixed for the session of the Diocesan Council.

Delegates of the Metropolitan.

Rule 4.—If the Metropolitan make any such nominations, he may delegate one or two persons to present these nominations to the Diocesan Council and to explain his reasons for submitting the nominations; and if he shall do so, he shall send the names of his delegates to the convener of the Council.

Nominations by members of the Diocesan Council.

Rule 5.—On the same date as that on which he issues the notice summoning the session of the Diocesan Council the convener shall also send notices with nomination forms to the members of the Council inviting them to submit nominations to him. Nominations must be signed by at least five members of the Council, and no nominations shall be accepted other than those made on the forms provided. He shall also notify a date and hour by which such nominations must reach him, which date must not be later than three weeks before the day fixed for the session of the Council. Every person nominated must be informed of the provision of Rule 15 below.

Notice of nominations to electors.

Rule 6.—Not later than the fourth day after the last day fixed for the reception of nominations, the convener shall despatch to every member of the Diocesan Council a list of all the nominations made whether by members of the Diocesan Council or by the Metropolitan. The list of nominations shall show by whom each person has been nominated.

Objections to nominations.

Rule 7.—Any objection raised with regard to the regularity of any nomination must be sent to the convener so as to reach him not less than three days before the day fixed for the session of the Council, and the Standing Committee of the Diocesan Council or a sub-Committee previously appointed by the Standing Committee shall consider all such objections and their decision shall be final. No objection with regard to the regularity of any of the nominations can be made at the session of the Diocesan Council.

Prayer for guidance: conduct of proceedings.

Rule 8.—The session of the Diocesan Council shall open with a celebration of the Holy Communion at which there shall be special intercession for the guidance of the Council; and every endeavour shall be made to ensure that the election shall be conducted with due solemnity, and to that end the Standing Committee of the Diocesan Council may, if they think fit, order that either the whole proceedings or the balloting shall be held in the Cathedral or in some other church.

General rules for the session.

Rule 9.—The Chairman of the Council shall be a layman appointed by the Standing Committee of the Council. He shall have power to decide finally all points of order and procedure not provided for in these Rules or in the rules of debate of the Council.

The Council shall be opened in the usual way, and the roll shall be called. Scrutineers of the ballot shall be appointed by the Chairman; the scrutineers shall consist of equal numbers of clergymen and laymen; no person who has been nominated for election or who has signed his name to a nomination shall be a scrutineer. No persons shall be admitted to meetings of the Council except members and officials of the Council and the delegates of the Metropolitan.

No other business at the session.

Rule 10.—No business except the election shall be transacted at this session of the Council, but it shall be lawful for the Metropolitan, or the Bishop whom he has appointed to take charge of the Diocese in the vacancy, or the Bishop of the Diocese if he shall have resigned but his resignation have not yet taken effect, to summon for other business a session of the Council, the meetings of which must be held either before the commencement or after the close or during an adjournment of the session for the election of a Bishop.

Resolution to accept the person chosen.

Rule 11.—The Chairman shall at the beginning of the session put to the Council a motion in the following or similar words: "That this Council hereby solemnly agrees to accept as Bishop of the Diocese that person whom the Metropolitan and the Bishops who will act with him shall choose from among the persons to be elected by the Council".

If this resolution be not passed, no election of persons by the Council shall be valid.

Election of committee of Bishops.

Rule 12.—The Chairman shall then call upon the Council to elect two Diocesan Bishops of the Province to form a committee with the Metropolitan. These shall be elected in such manner as may be provided by the constitution of the Council or by resolution of the Council.

Hearing of Metropolitan's delegates.

Rule 13.—The Chairman shall read aloud the list of nominations, and if the Metropolitan shall have sent delegates to the Council, shall call upon them to state the reasons for the Metropolitan's nominations, and to answer such questions as members of the Council may desire to ask.

No nominations during session.

Rule 14.—No nominations may be made during the session of the Council.

No withdrawal of nominations.

Rule 15.—No person who has been nominated is at liberty to withdraw his name, but he may place before the Council reasons why, if elected, he would be compelled to refuse the office.

Discussion.

Rule 16.—On a motion to that effect carried by a majority of the whole Council voting together, the Council may resolve itself into a Committee of the whole House, in order to facilitate a full enquiry into the merits of the persons proposed.

A motion may also be made (whether the Council be in Committee of the whole House or in full session) that either of the two Houses should be allowed to sit separately to discuss the nominations, and if the Chairman, putting this motion to the House in question, finds that it is supported by a majority of those present and voting in that House, he shall appoint times for the sitting of the Council in such a manner as to allow the House concerned to sit separately before the discussion of the nominations is closed.

At any time during the discussion, the Council may appoint a Committee to consider the merits of the nominees and to report to the whole Council.

If at any time a demand be made for the adjournment of the Council in order that information may be produced regarding any of the nominees which is held to be necessary to enable the Council to vote on that nominee, and if this demand be supported by one-quarter of the members present, the Chairman shall, if he is satisfied that there is substantial ground for the demand, adjourn the Council for such period as he may deem proper.

During any discussion of the nominations, all the nominees, if present at the session, shall withdraw.

Allegations against nominees.

Rule 17.—If during any discussion of the nominations any allegation of a specific case of misconduct or heretical teaching be made against any nominee, the Chairman of the Council, or of any House of the Council, or of a Committee appointed under Rule 16, as the case may be, may at his own discretion direct and shall on the demand of any five members then present direct, that that allegation, if not withdrawn, be stated in writing and signed by one of those who made it, and a copy of such writing be given to the nominee in question. That nominee shall thereon have the right to appear before the Council, House, or Committee as the case may be, and to make such statement as he may desire with regard to that allegation.

Adjournment previous to ballot.

Rule 18.—After the report, if any, of a Committee appointed under Rule 16 has been presented, and after the Council has, in the opinion of the Chairman, had full opportunity for discussion, a motion may be made that the number of persons to be elected by the Council shall be two only, or that it shall be three only; and if the motion be carried by a two-thirds majority of members present and voting, the number therein stated shall be the number of persons to be elected by the Council under Rule 2. Otherwise the number of persons to be elected by the Council shall be deemed to be four. The chairman shall then appoint a time for the ballot and that meeting of the Council shall then be closed with prayer.

Declarations by electors.

Rule 19.—At the time appointed the session shall be resumed, and the Chairman shall read aloud a solemn declaration to vote without fear or favour (*see Appendix C. 2*) and each member, standing up in his place on his name being called and raising his right hand, shall acknowledge himself bound by this declaration, saying—I will.

Declaration by nominated persons.

Rule 20.—Every nominated person present at the session shall then sign a solemn declaration that he has not sought to influence any person to vote for him, and that he will not vote for himself. (*See Appendix C. 3.*)

In the event of any nominated person being unable to sign this declaration, his name shall be struck off the list of nominations, and it shall not be lawful to include it by any vote of the Council.

Rules 21 to 25. Procedure of voting.

Rule 21.—Duplicate voting papers numbered 1A, 2A, etc. and 1B, 2B, etc., shall be provided by the Diocesan Council and each voter shall record his vote on both the papers given to him. A list of all the persons who have been nominated shall be printed on every voting paper, the names being arranged in alphabetical order.

Rule 22.—Only those members of the Council whose names have been marked by the Secretary or the Chairman, either at the calling of the roll or subsequently, as present and eligible to vote, shall be allowed to vote.

Rule 23.—A voter shall vote by marking the figures 1, 2, etc., against the names on the voting paper in the order of his preference. He need only mark figures against such of the names as he desires, provided that at least he marks the figure 1 against some name.

Rule 24.—A voting paper shall be invalid if

(*a*) it is not one of the voting papers officially provided,

(*b*) the voter has written anything upon it except the figures 1, 2, etc., or has signed his name or initials or written any word or made any mark on it by which it becomes recognisable;

(*c*) the voter has not written the figure 1 against the name of any candidate.

If the voter has marked the names of two or more candidates with the same figure, or has marked the name of a candidate by a figure not following consecutively after some other figures marked on the paper, or by two or more figures, and thereby made some of his preferences ambiguous, his voting paper shall only be valid up to the point at which such ambiguity arises.

A voting paper shall not be invalid on account of a difference in the marking of its original and its duplicate.

Rule 25.—Two ballot boxes shall be provided for the original and the duplicate voting papers of each house of the Council.

Each voter shall place his voting papers in the ballot boxes with his own hands.

Each voter as he places his voting papers in the ballot boxes shall have his name marked by one of the scrutineers on a list of the members of the Council.

Scrutiny of votes, etc.

Rule 26.—When the ballot is completed, the Chairman and the scrutineers—

(*a*) shall open the ballot boxes and (putting into their right series any papers that may have been placed in a wrong ballot box) compare the total numbers of voting papers of the original and duplicate series with the total number of voters marked by the scrutineers, and if there be any discrepancy, the Chairman shall order the ballot to be taken again;

(*b*) shall examine the voting papers and reject those individual voting papers in either the original or the duplicate series that are invalid under Rule 24 above, and if the original of any voting paper is invalid but its duplicate is valid, shall put that duplicate paper among the valid voting papers of the original series, with a note of the circumstances, and shall put a copy thereof among the papers of the duplicate series, so that the two series shall agree;

(*c*) shall seal up the original and the duplicate voting papers in two separate packets in the presence of the Council; and

(*d*) shall sign in duplicate in the presence of the Council the certificate of election given in Appendix C. 4.

Provided that the Council may direct that the operations (*b*), (*c*) and (*d*) above shall be carried out by the Chairman and the scrutineers in the presence of the Standing Committee of the Council after the conclusion of the session.

Close of Council.

Rule 27.—The Council shall then be closed after special prayer has been offered for the guidance of the Bishops who shall choose a Bishop for the Diocese.

Despatch to Metropolitan.

Rule 28.—As soon as possible after the close of the session, the Chairman, shall despatch to the Metropolitan by registered post the packet of original voting papers together with one copy of the certificate of election, and shall deposit the packet of duplicate voting papers in a safe place.

On receiving from the Metropolitan a notification that he has received the original packet, the Chairman shall destroy the duplicate packet unopened.

If he receive no notification from the Metropolitan within a reasonable time, he shall despatch to him by registered post the duplicate packet and the second copy of the certificate of election.

Counting by Metropolitan.

Rule 29.—On receiving from the Chairman of the Diocesan Council either of the packets of voting papers, the Metropolitan, together with two members of the Standing Committee of the General Council appointed by him for the purpose, shall examine the voting papers.

If more persons had been nominated than the number which under Rule 18 was fixed by the Diocesan Council, or is to be deemed to be the number to be elected by the Council, the Metropolitan shall arrange the names of all the persons nominated in the order of preference given to them by the votes of the Diocesan Council, distributing the vote according to the system of the Single Transferable Vote under the rules published by the Government of India for elections to the Legislative Assembly, and the required quota of votes for election being fixed in accordance with the number to be elected by the Diocesan Council. When the votes have been so distributed, the names on the list that have received the quota of votes required for election shall be deemed to be those of the persons elected by the Diocese.

If the number of persons nominated was equal to the number which under Rule 18 was fixed by the Diocesan Council, or is to be deemed to be the number to be elected by the Council, the Metropolitan shall arrange the names in the order of preference shown by the first preference marked on the voting papers, and all of the names shall be deemed to be those of persons elected by the Diocese.

The Metropolitan shall inform the Chairman of the Diocesan Council of the names which have been thus elected by the Diocesan Council, but shall not inform him of the detailed results of the voting.

If four or less than four names had been nominated by the Diocesan Council, the Metropolitan shall arrange the names in the order of preference shown by the first preferences marked on the voting papers, and all of the names shall be deemed to be those of the persons elected by the Diocese.

Appointment by Committee of Bishops.

Rule 30.—The Metropolitan shall then, together with the Bishops appointed for the purpose, choose from among the persons elected by the Diocese a Bishop for the Diocese; provided that if only one person shall be found to have received the necessary quota of votes, the Bishops shall not be bound to appoint that person as Bishop for the Diocese, but may themselves choose some other person.

Appendix A. 4.

RULES UNDER CHAPTER VIII FOR THE ELECTION BY AN ELECTORAL BODY OF PERSONS FROM AMONG WHOM A BISHOP WILL BE APPOINTED.

Time of appointment of an Electoral Body.

Rule 1.—Save in the case provided for in Rule 32 of Appendix A. 1, an Electoral Body must be appointed by its Diocesan Council before the occurrence of the vacancy of the See or the resignation of the Bishop, whichever event shall first occur.

Mode of appointment and composition.

Rule 2.—A Diocesan Council may appoint an Electoral Body by such process as it may determine by provision in its constitution or by resolution of the Council in that behalf. An Electoral Body shall consist only of persons who are qualified to be members of the Diocesan Council which appoints it. Not less than half the persons appointed shall be lay persons. An Electoral Body shall so far as may be possible fill by co-option any vacancies that may occur in the number of its members, provided that the place of a clergyman be always filled by a clergyman and the place of a layman by a layman.

Quorum and rules of procedure.

Rule 3.—A Diocesan Council shall when it appoints an Electoral Body determine the quorum for the meetings of that Body, and may make other rules of procedure for it, and the Electoral Body shall otherwise determine its own procedure; provided that in no case may its procedure be inconsistent with the provisions of these Canons and Rules.

If any formal votes are taken at the meetings of an Electoral Body, other than on questions of procedure, they shall be taken by ballot.

If a Diocesan Council has failed to determine the quorum for meetings of its Electoral Body, the Standing Committee of the Diocesan Council shall determine the quorum.

Nominations by the Metropolitan.

Rule 4.—Before the meeting of the Electoral Body, the Metropolitan may, if he think fit, make nominations of suitable persons, who shall not be clergymen working at the time in the Diocese. These nominations shall be sent by him to the convener so as to reach him not later than three weeks before the day fixed for the first meeting of the Electoral Body.

Delegates of the Metropolitan.

Rule 5.—If the Metropolitan make any such nominations, he may delegate one or two persons to present these nominations to the Electoral Body and to explain his reasons for submitting the nominations; and if he shall do so, he shall send the names of his delegates to the convener of the Electoral Body.

Nominations by members of the Diocesan Council.

Rule 6.—On the same date as that on which he issues the notice summoning the Electoral Body, the convener shall also send notices with nomination forms to the members of the Council inviting them to submit nominations to him. Nominations must be signed by at least five members of the Council, and no nominations shall be accepted other than those made on the forms provided. He shall also notify a date and hour by which such nominations must reach him, which date must not be later than three weeks before the day fixed for the first meeting of the Electoral Body. Every person nominated must be informed of the provision of Rule 11 below.

Notice of nominations to electors.

Rule 7.—Not later than the fourth day after the last day fixed for reception of nominations, the convener shall despatch to every member of the Electoral Body a list of all the nominations made whether by members of the Diocesan Council or by the Metropolitan. The list of nominations shall show by whom each person has been nominated.

Objections to nominations.

Rule 8.—Any objection raised with regard to the regularity of any nomination must be sent to the convener so as to reach him not less than three days before the day fixed for the first meeting of the Electoral Body, and the Standing Committee of the Diocesan Council, or a sub-Committee previously appointed by the Standing Committee, shall consider all such objections and their decision shall be final. No objection with regard to the regularity of any of the nominations can be made at the meetings of the Electoral Body.

Proceedings to be in camera.

Rule 9.—No persons who are not members of the Electoral Body shall be present at any of its meetings, except the delegates of the Metropolitan, who shall be called upon by the Chairman to state the reasons for the Metropolitan's nominations and to answer such questions as members of the Electoral Body may desire to ask, but who shall take no other part in the proceedings of the Electoral Body.

Rule 10.—At the opening of the proceedings of the Electoral Body, the Body shall elect two Diocesan Bishops of the Province to form a committee with the Metropolitan.

No withdrawal of nominations.

Rule 11.—No person who has been nominated is at liberty to withdraw his name, but he may place before the Electoral Body reasons why, if elected, he would be compelled to refuse the office.

Rule 12.—The Electoral Body must consider and vote upon all nominations made either by members of the Diocesan Council or by the Metropolitan, and may also consider and vote upon other names as it may think desirable. The Chairman may adjourn the meeting of the Electoral Body for such period or periods as he may deem proper in order that information may be produced regarding any nominee which is held to be necessary, or for any other purpose.

Declarations by members of Electoral Body.

Rule 13.—At such point in the proceedings as the Chairman shall think fit, he shall read aloud a solemn declaration to vote without fear or favour (*see Appendix C. 2*) and each member, standing up in his place on his name being called and raising his right hand, shall acknowledge himself bound by this declaration, saying—I will.

Declaration by nominated persons.

Rule 14.—Every nominated person present at the meeting shall then sign a solemn declaration that he has not sought to influence any person to vote for him, and that he will not vote for himself. (*See Appendix C. 3.*)

In the event of any nominated person being unable to sign this declaration, his name shall be struck off the list of nominations, and it shall not be lawful to include it by any vote of the Electoral Body.

Rules 15 to 19. Procedure of voting.

Rule 15.—Duplicate voting papers numbered 1A, 2A, etc. and 1B, 2B, etc., shall be provided by the Diocesan Electoral Body and each voter shall record his vote on both the papers given to him. A list of all the persons who have been nominated shall be printed or written on every voting paper, the names being arranged in alphabetical order.

Rule 16.—Only those members of the Electoral Body whose names have been marked by the Secretary or the Chairman, either at the calling of the roll or subsequently, as present and eligible to vote, shall be allowed to vote.

Rule 17.—A voter shall vote by marking the figures 1, 2, etc., against the names on the voting paper in the order of his preference. He need only mark figures against such of the names as he desires, provided that at least he marks the figure 1 against some name.

Rule 18.—A voting paper shall be invalid if—

(*a*) it is not one of the voting papers officially provided,

(*b*) the voter has written anything upon it except the figures 1, 2, etc., or has signed his name or initials or written any word or made any mark on it by which it becomes recognisable;

(*c*) the voter has not written the figure 1 against the name of any candidate.

If the voter has marked the names of two or more candidates with the same figure, or has marked the name of a candidate by a figure not following consecutively after some other figures marked on the paper, or by two or more figures, and thereby made some of his preferences ambiguous, his voting paper shall only be valid up to the point at which such ambiguity arises.

A voting paper shall not be invalid on account of a difference in the marking of its original and its duplicate.

Rule 19.—Two ballot boxes shall be provided for the original and the duplicate voting papers of each house of the clerical and lay members of the Electoral Body.

Each voter shall place his voting papers in the ballot boxes with his own hands.

Each voter as he places his voting papers in the ballot boxes shall have his name marked by one of the scrutineers on a list of the members of the Electoral Body.

Scrutiny of votes, etc.

Rule 20.—When the ballot is completed, the Chairman and the scrutineers—

(*a*) shall open the ballot boxes and (putting into their right series any papers that may have been placed in a wrong ballot box) compare the total numbers of voting papers of the original and duplicate series with the total number of voters marked by the scrutineers, and if there be any discrepancy, the Chairman shall order the ballot to be taken again;

(*b*) shall examine the voting papers and reject those individual voting papers in either the original or the duplicate series that are invalid under Rule 18 above, and if the original of any voting paper is invalid but its duplicate is valid, shall put that duplicate paper among the valid voting papers of the original series, with a note of the circumstances, and shall put a copy thereof among the papers of the duplicate series, so that the two series shall agree;

(*c*) shall seal up the original and the duplicate voting papers in two separate packets in the presence of the Electoral Body; and

(*d*) shall sign in duplicate in the presence of the Electoral Body the certificate of election given in Appendix C. 4.

Close of Electoral Body.

Rule 21.—The Electoral Body shall then be closed after special prayer has been offered for the guidance of the Bishops who shall choose a Bishop for the Diocese.

Despatch to Metropolitan.

Rule 22.—As soon as possible after the close of the session, the Chairman shall despatch to the Metropolitan by registered post the packet of original voting papers together with one copy of the certificate of election, and shall deposit the packet of duplicate voting papers in a safe place.

On receiving from the Metropolitan a notification that he has received the original packet, the Chairman shall destroy the duplicate packet unopened.

If he receive no notification from the Metropolitan within a reasonable time, he shall despatch to him by registered post the duplicate packet and the second copy of the certificate of election.

Counting by Metropolitan.

Rule 23.—On receiving from the Chairman of the Electoral Body either of the packets of voting papers, the Metropolitan, together with two members of the Standing Committee of the General Council appointed by him for the purpose, shall examine the voting papers, and if more than four persons had been nominated shall arrange the names of all the persons nominated in the order of preference given to them by the votes of the Electoral Body, distributing the votes according to the system of the Single Transferable Vote under the rules published by the Government of India for elections to the Legislative Assembly. When the votes have been so distributed, the first four names on the list shall be deemed to be those of the persons elected by the Diocese, and the Metropolitan shall inform the Chairman of the Electoral Body of those names.

If four or less than four names had been nominated by the Electoral Body, the Metropolitan shall arrange the names in the order of preference shown by the first preferences marked on the voting papers, and all of the names shall be deemed to be those of the persons elected by the Diocese.

Appointment by Committee of Bishops.

Rule 24.—The Metropolitan shall then, together with the Bishops appointed for the purpose, choose from among the persons elected by the Diocese a Bishop for the Diocese; provided that if only one person shall be found to have received the necessary quota of votes, the Bishops shall not be bound to appoint that person as Bishop for the Diocese, but may themselves choose some other person.

Appendix B.

RULES UNDER CHAPTER VIII FOR THE ELECTION OF THE METROPOLITAN BISHOP OF CALCUTTA.

Rules 1 to 8. General scheme of procedure.

Rule 1.—The election of the Metropolitan Bishop of Calcutta shall be made by agreement between the Calcutta Diocesan Council or an Electoral Body appointed by that Council and the House of Bishops of the Provincial Council, if such agreement in the sense defined in Rule 4 of this Chapter can be obtained.

Rule 2.—The Calcutta Diocesan Council may commit its part in the election of the Metropolitan to an Electoral Body by provision in its constitution or by a resolution of the Council passed at any time before the occurrence of the vacancy of the See or the acceptance of the resignation of the Metropolitan, whichever event shall first occur.

Rule 3.—The Calcutta Diocesan Council or its Electoral Body and the House of Bishops shall meet separately at the same time, and opportunities of conference between deputations of these bodies shall be provided.

Rule 4.—In the election of the Metropolitan, the final vote shall always be on a motion made in a joint meeting of the House of Bishops and the Council or Electoral Body in the following or similar words,—"That (*such an one*) be elected and called to be Bishop of Calcutta and Metropolitan of the Province", and the agreement required in Rule 1 above shall be deemed to have been obtained and an election to have been made if and when this motion be carried by the majorities stated in the next following Rule, whether in any previous balloting the person mentioned shall or shall not have obtained those majorities.

This joint meeting shall be held if possible in the Cathedral, and the Chairman of the House of Bishops shall act as Chairman of the joint session.

Rule 5.—The majorities in the final vote requisite for the making of an election shall be a simple majority of those present in the House of Bishops and a simple majority of those present in each House of the Council, or in place of the latter a majority of the laymen and a majority of the clergymen present in the Electoral Body, the word "present" in this Rule and in Rule 7 being taken to mean marked on the roll as present at the session and eligible to vote.

Rule 6.—The election of the Metropolitan by agreement between the Calcutta Diocesan Council (or its Electoral Body) and the House of Bishops shall be deemed to have failed when in the final vote the majorities required by Rule 5 are not obtained, or when after full use of the opportunities of conference provided by Rule 3 the Council (or its Electoral Body) and the House of Bishops are unable to agree in adopting one and the same name on which the final vote shall be taken.

Rule 7.—On such failure of the election, the right to elect shall pass to a Joint Electoral Body composed of the House of Bishops and so many delegates as the Calcutta Diocesan Council (or its Electoral Body) may choose for the purpose not being in number more than two-thirds the number of the Bishops present in the House of Bishops.

Rule 8.—The Joint Electoral Body constituted under Rule 7 shall then elect a Metropolitan by a simple majority of those present and voting.

Convening of House of Bishops and of Calcutta Diocesan Council.

Rule 9.—The Vice-President of the General Council shall as soon as possible after receiving notice of the vacancy of the See or accepting the resignation of the Metropolitan forward his mandate for the election of a Bishop to the Vice-Chairman of the Calcutta Diocesan Council or if there be no Vice-Chairman, to some other person, being a clergyman in Priests' Orders and a member of the Diocesan Council, directing him to summon the Diocesan Council or the Electoral Body if the election shall have been committed to it, to meet on a day not earlier than two months and not later than six months after the date of the mandate: and the person to whom the mandate is addressed (hereinafter called the convener of the Diocesan Council) shall immediately on receipt thereof summon the Diocesan Council or the Electoral Body (as the case may be), and he shall inform the Vice-President of the General Council of the date, place and hour for which the Diocesan Council or the Electoral Body has been summoned. The Vice-President shall then summon the

House of Bishops to meet in Calcutta on such a date as will in his judgement make it possible for them to communicate their nominations to the Calcutta Diocesan Council at the beginning of its session.

If the Vice-President shall certify the Bishop of the Province who is senior (or, as the case may be, next senior) by consecration that he is unable to act, or if in the two months following the death or resignation of the Metropolitan he shall not have taken the action prescribed above, the said senior (or, as the case may be, next senior) Bishop shall act as prescribed above.

Election before vacancy.

Rule 10.—In the case of the resignation of the Metropolitan, the election by the Calcutta Diocesan Council and the House of Bishops may be held before the actual vacancy of the See, but only after the resignation of the Metropolitan has been accepted. A Metropolitan after resigning or vacating the See may not make any nomination for the election or take any part in the proceedings of the House of Bishops or of the Calcutta Diocesan Council or its Electoral Body.

Session of House of Bishops.

Rule 11.—The House of Bishops shall at the beginning of its session elect a Chairman for the session. No Bishop may be elected as Chairman whose name is on the list of nominations prepared in the Diocese of Calcutta, and if the Chairman elected at the opening of the session be himself nominated at any subsequent stage of the proceedings, he shall vacate the Chair and another Chairman shall be elected, whose name is not included in any of the lists of nomination which are at that time under consideration by the House of Bishops or the Calcutta Diocesan Council or Electoral Body.

The House of Bishops shall proceed to nominate one or two persons whom they consider fit to be Metropolitan, and shall at once communicate to the convener of the Council (or, as the case may be, the Electoral Body) this name or these names, arranging them, if they be more than one, in alphabetical order. If any name be that of a person not resident in the Province, they may, if they think fit, delegate one or two Bishops to explain to the Council or the Electoral Body their reasons for making that nomination.

Rules 12 to 14. Nominations for election by Council.

Rule 12.—On the same date as that on which he issues the notice summoning the session of the Diocesan Council or the Electoral Body, the convener of the Council shall also send notices with nomination forms to the members of the Council inviting them to submit nominations to him. Nominations must be signed by at least five members of the Council, and no nominations shall be accepted other than those made on the forms provided. He shall also notify a date and hour by which such nominations must reach him, which date must not be later than three weeks before the date fixed for the session of the Council or the Electoral Body. Every person nominated must be informed of the provision of Rule 19 below.

Rule 13.—Not later than the fourth day after the last day fixed for the reception of nominations, the convener shall despatch to every member of the Diocesan Council (or of the Electoral Body, if the election shall have been committed to it) a list of all the nominations made. The list of nominations shall show by whom each person has been nominated.

Rule 14.—Any objection raised with regard to the regularity of any nomination must be sent to the convener so as to reach him not less than three days before the day fixed for the session of the Council or of the Electoral Body, and the Standing Committee of the Diocesan Council shall consider all such objections and their decision shall be final. No objection with regard to the regularity of any of the nominations can be made at the session of the Diocesan Council or the Electoral Body.

Rules 15 to 17. General rules for session of Council.

Rule 15.—The session of the Diocesan Council shall open with a celebration of the Holy Communion at which there shall be special intercession for the guidance of the Council; and every endeavour shall be made to ensure that the election shall be conducted with due solemnity, and to that end the Standing Committee of the Diocesan Council may, if they think fit, order that either the whole proceedings or the final vote shall be held in the cathedral or in some other church.

Rule 16.—The Chairman of the Council shall be a layman appointed by the Standing Committee of the Council. He shall have power to decide finally all points of order and procedure not provided for in these Rules or in the rules of debate of the Council.

The Council shall be opened in the usual way, and the roll shall be called. Scrutineers of the ballot shall be appointed by the Chairman; the scrutineers shall consist of equal numbers of clergymen and laymen; no person who has been nominated for election or who has signed his name to a nomination shall be a scrutineer. No persons shall be admitted to meetings of the Council except members and officials of the Council and the delegates of the House of Bishops.

Rule 17.—No business except the election shall be transacted at this session of the Council, but it shall be lawful for the Vice-President of the General Council, or the Bishop whom he has appointed to take charge of the Diocese in the vacancy, or the Metropolitan if he shall have resigned but his resignation have not yet taken effect, to summon for other business a session of the Council, the meetings of which must be held either before the commencement or after the close or during an adjournment of the session for the election of a Metropolitan.

Rules 18 to 24. Proceedings previous to ballots.

Rule 18.—At the commencement of the session, the Chairman shall read aloud the list of nominations, including therein the nomination or nominations made by the House of Bishops, and if the House of Bishops shall have sent delegates to the Council, he shall call upon them to speak and to answer such questions as members of the Council may desire to ask about the nomination or nominations which they have been sent to explain.

Rule 19.—No nominations may be made during the session of the Council: no person who has been nominated is at liberty to withdraw his name, but he may place before the Council reasons why, if elected, he would be compelled to refuse the office.

Rule 20.—On a motion to that effect carried by a majority of the whole Council voting together, the Council may resolve itself into a Committee of the whole House, in order to facilitate a full enquiry into the merits of the persons proposed.

A motion may also be made (whether the Council be in Committee of the whole House or in full session) that either of the two Houses should be allowed to sit separately to discuss the nominations, and if the Chairman, putting this motion to the House in question, finds that it is supported by a majority of those present and voting in that House, he shall appoint times for the sitting of the Council in such a manner as to allow the House concerned to sit separately before the discussion of the nominations is closed.

At any time during the discussion, the Council may appoint a Committee to consider the merits of the nominees and to report to the whole Council.

If at any time a demand be made for the adjournment of the Council in order that information may be produced regarding any of the nominees which is held to be necessary to enable the Council to vote on that nominee, and if this demand be supported by one-quarter of the members present, the Chairman shall, if he is satisfied that there is substantial ground for the demand, adjourn the Council for such period as he may deem proper.

During any discussion of the nominations, all the nominees, if present at the session, shall withdraw.

Rule 21.—If during any discussion of the nominations any allegation of a specific case of misconduct or heretical teaching be made against any nominee, the Chairman of the Council, or of any House of the Council, or of a Committee appointed under Rule 20, as the case may be, may at his own discretion and shall on the demand of any five members then present direct that that allegation, if not withdrawn, be stated in writing and signed by one of those who made it, and a copy of such writing be given to the nominee in question, who shall thereon have the right to appear before the Council, House, or Committee as the case may be, and to make such statement as he may desire with regard to that allegation.

Rule 22.—After the report, if any, of a Committee appointed under Rule 20 has been presented, and after the Council has, in the opinion of the Chairman, had full opportunity for discussion, the Chairman shall appoint a time for the ballot, and that meeting of the Council shall then be closed with prayer.

Rule 23.—At the time appointed the session shall be resumed, and the Chairman shall read aloud a solemn declaration to vote without fear or favour (*see Appendix C. 2*) and each member, standing up in his place on his name being called and raising his right hand, shall acknowledge himself bound by this declaration, saying—I will.

Rule 24.—Every nominated person present at the session shall then sign a solemn declaration that he has not sought to influence any person to vote for him, and that he will not vote for himself. (*See Appendix C. 3.*)

In the event of any nominated person being unable to sign this declaration, his name shall be struck off the list of nominations, and it shall not be lawful to include it by any vote of the Council.

Rules 25 to 28. Arrangements of ballots.

Rule 25.—Official voting papers shall be provided by the Diocesan Council, and the scrutineers shall reject any vote not recorded on an official voting paper.

Each voter, as he places his voting paper in a ballot-box, shall have his name marked by one of the scrutineers on a list of the members of the Council.

Each voter shall place his voting paper in a ballot-box with his own hands.

The Houses of Clergy and of Laymen shall place their votes in separate ballot-boxes.

All other arrangements with regard to the method of recording and counting votes shall be prescribed by the Standing Committee of the Diocesan Council, including the exact manner of recording votes on the voting papers.

During the progress of the ballots, no discussion of the merits of any nominated person shall be allowed.

Rule 26.—Only those members of the Council whose names have been marked by the Secretary or the Chairman, either at the calling of the roll or subsequently, as present and eligible to vote, shall be allowed to vote in any ballot.

Definition of majority.

Rule 27.—In Rules 31 to 35 of this Appendix, all majorities mentioned shall be taken to be majorities of the total number of members of the Council or of each House, as the case may be, who are marked on the roll as present at the session and eligible to vote.

Votes for one name only.

Rule 28.—In every ballot each voter shall record a vote for one name only.

Joint Ballot on one name.

Rule 29.—If the House of Bishops shall have only nominated one person, and no other person has been nominated by members of the Council, the Final Vote shall be taken on that name in accordance with the provisions of Rule 4 of this Appendix on the conclusion of the proceedings directed in Rules 18 to 24 above.

Rules 30 to 34. Ballots in the Council on more than two names.

Rule 30.—If at the beginning of the balloting there are more than eight names before the Council, the voting shall begin with the First Ballot prescribed below; if there are more than four but not more than eight names before the Council, with the Second Ballot; and if there are four or three, with the Third Ballot.

Similarly, when a First or Second Select List shall have been made as provided in the following two Rules, the ensuing Ballot shall be taken according to the number of names on that List.

Rule 31.—In the First Ballot all the names before the Council shall be submitted for voting. If any one name secure a majority in both Houses of the Council, and that name be the only name previously submitted to the Council by the House of Bishops, the Final Vote shall thereupon be taken on that name in accordance with the provisions of Rule 4 above. In all other cases, the four names which have secured the greatest number of votes in the House of Clergy and the four names which have secured the greatest number of votes in the House of Laymen (whether or not these latter names be partly or wholly identical with the former names) shall be placed on the First Select List, and the remaining names shall be struck off the list of nominees; provided that if in either House two or more names have secured an equal number of votes in the fourth place, all such names shall be placed on the First Select List.

Rule 32.—In the Second Ballot, if any one name secure a majority in both Houses of the Council, and that name be the only name previously submitted to the Council by the House of Bishops, the Final Vote shall thereupon be taken on that name as above. In all other cases, the two names which have secured the greatest number of votes in the House of Clergy and the two names which have secured the greatest number of votes in the House of Laymen (whether or not these latter names be partly or wholly identical with the former names) shall be placed on the Second Select List, and the remaining names shall be struck off the list of nominees; provided that if in either House two or more names have secured an equal number of votes in the second place, all such names shall be placed on the Second Select List.

Rule 33.—After the declaration of the result of the Second Ballot, the Chairman shall adjourn the Council for a short time, and on the session being resumed, the Third Ballot shall at once be taken.

Rule 34.—In the Third Ballot, if any one name secure a majority in both Houses of the Council (or a majority in one House, and in the other House an equal number of votes with one or more other names in the first place), and that name be the only name previously submitted to the Council by the House of Bishops, the Final Vote shall thereupon be taken on that name as above. In all other cases, the two names which have secured the greatest number of votes, the one in the House of Clergy and the other in the House of Laymen, shall be placed on the Third Select List; provided that if in either House two or more names have secured an equal number of votes in the first place, and none of these names be identical with the first name in the other House, a ballot of the former House shall be taken on these names, and the name which secures the greatest number of votes in this ballot shall be placed on the Third Select List.

Ballot on two names.

Rule 35.—If at the beginning of the balloting there be only two names before the Council, or when after previous balloting as provided above the number of names before the Council have been reduced to two, a ballot shall be taken on these two names.

If one name secure a majority in both Houses, and that name be the only name previously submitted to the Council by the House of Bishops, the Final Votes shall thereupon be taken on that name as above.

Deputation for conference.

Rule 36.—In all other cases, the Chairman of the Council shall direct the Council to elect a deputation of three members of the Council and a conference shall be held between this deputation and a deputation of equal number from the House of Bishops with a view to obtaining the agreement of the House of Bishops and the Council on one name.

Selection and report of name by conference.

Rule 37.—In the conference the deputations shall out of the names which are then before the two bodies, that is, the name or names put forward by the House of Bishops and the two names on which the Council has balloted as provided in Rule 35 above, select the name which they consider most likely to be accepted by the Council and the House of Bishops. Each deputation shall report to the body which deputed it and put forward the agreed name for that body to vote upon. A general discussion on the report may follow in either body, during which that body may invite the deputation of the other to address it, as well as its own deputation.

Report of voting to conference.

Rule 38.—The name proposed by the conference shall then be put to the vote in the Council and in the House of Bishops sitting separately, and the deputations shall meet and communicate one to the other the result of the voting.

Conference and voting continued as necessary.

Rule 39.—If the name has been accepted in neither the House of Bishops nor the Diocesan Council, or in one but not in the other, the conference shall make another attempt as in Rules 37 and 38 above to propose a name which will be accepted by both bodies, and they shall continue to make such attempts until either the two bodies accept one name, or all the names which were before them at the commencement of the conference have been put to the vote and rejected by one or the other body, and after these any other name or names not exceeding three (whether previously nominated in the Council or not) which the conference may think likely to be accepted by the Council and the House of Bishops have similarly been put to the vote and rejected by one or the other body.

Final result of conference and voting.

Rule 40.—If at any point in the procedure by conference, the Council by majorities in both its Houses and the House of Bishops by a majority accept one name, the Final Vote shall thereupon be taken on that name in accordance with the provisions of Rule 4 of this Appendix.

If none of the names put before the two bodies by the conference are accepted by both the Council and the House of Bishops, the Council shall elect delegates to the Joint Electoral Body as provided in Rule 7 above, and thereafter be closed with prayer.

Rules 41 and 42. Electoral Body of Council.

Rule 41.—If the election shall have been committed by the Calcutta Diocesan Council to an Electoral Body under

Rule 2 above, that Body shall take the part prescribed in Rules 29 to 40 above to the Diocesan Council, and those Rules shall apply to that Body, with the following modification:—

(*a*) In place of a majority in each of the two Houses of the Council there shall be a majority of the laymen and of the clergymen present in the Electoral Body;

(*b*) If more than two names are before the Electoral Body at the beginning of their proceedings, they may follow any procedure they desire in reducing those names to two, subject to such rules of procedure as may have been laid down for the Body by the Diocesan Council.

Rule 42.—Subject to the last preceding Rule, the Electoral Body shall determine its own procedure, unless the Council shall at some previous session have determined the procedure to be followed by it, provided always

(*a*) that Rules 18, 19, 23 and 24 above shall, *mutatis mutandis*, apply to the Electoral Body;

(*b*) that no persons who are not members of the Electoral Body shall be present at its proceedings except the delegates of the House of Bishops;

(*c*) that if any votes are taken, they shall be taken by ballot;

(*d*) that if any nominated person is present, he shall not vote for himself.

Powers and procedure of Joint Electoral Body.

Rule 43.—If under Rule 7 the election of the Metropolitan is remitted to the Joint Electoral Body, that Body shall have full power to elect as Metropolitan any qualified person, whether or not he have been already nominated by the House of Bishops or the Calcutta Diocesan Council, and shall continue its session until it have elected a Metropolitan.

The Joint Electoral Body shall determine its own procedure, provided

(*a*) that the quorum for any meeting shall be nine persons;

(*b*) that the Chairman of the House of Bishops shall act as Chairman of the Body;

(*c*) that no adjournment shall be made for a period greater than six weeks;

(*d*) that if any votes are taken, they shall be taken by ballot;

(*e*) that no election can be made except by a majority of those present, the Chairman having no casting vote in the case of equality of votes for election;

(*f*) that if any nominated person is present he shall not vote for himself; and

(*g*) that the body, in addition to electing one person, shall be at liberty to elect provisionally other qualified persons who shall successively be invited to accept the office if it be refused by the person first elected.

Failure of Council to elect delegates.

Rule 44.—If the Calcutta Diocesan Council fail to elect delegates to the Joint Electoral Body, or if some or all of the delegates elected fail to attend the session of the Body, the remaining members of the Joint Electoral Body shall proceed with the election.

Enquiry from person elected.

Rule 45.—When under any of the preceding Rules of this Chapter a person has been elected to be Bishop of Calcutta and Metropolitan of the Province, the Chairman of the House of Bishops shall at once write to him informing him of his election and enquiring from him whether he is willing to accept the office. If he inform the Chairman in writing that he is willing to accept the office, the Chairman shall thereupon take the action prescribed in the Rules of Chapter IX in reference to the confirmation of the election.

If the person elected refuse to accept the office, and provision shall not have been made for this contingency as provided below or as provided in Rule 43 (*g*), the Chairman shall summon the House of Bishops and the Calcutta Diocesan Council, or, if the election has been made by it, the Joint Electoral Body, to a fresh session for the election of a Metropolitan.

If an election has been made by agreement between the Calcutta Diocesan Council (or an Electoral Body appointed by that Council) and the House of Bishops, and motions be made and carried in both the Council (or its Electoral Body) and the House of Bishops that if the person elected shall refuse to accept the office, a further election shall be committed to a Joint Electoral Body, a Joint Electoral Body shall thereupon be appointed in accordance with Rule 7, and shall, if need arise, elect a Metropolitan in accordance with Rule 43.

APPENDIX C. 1.

(*See Chapter VIII, Rule* 4.)

FORM OF MANDATE FOR THE ELECTION OF A BISHOP.

To..

of..., Greeting.

Whereas in the providence of God the Bishopric of the Diocese of..................................is at present vacant (*or*, the resignation of the Bishop of the Diocese of..................has been by Us accepted), We.................Metropolitan Bishop of Calcutta, do hereby authorise and command you to summon the Council of the said Diocese of..............or the Electoral Body of the said Diocese, if the said Council have committed the election to an Electoral Body, to meet on a date not earlier than two months and not later than six months after the date of this Our mandate, and with the divine help to elect to be Bishop of the said Diocese such duly qualified person as they shall consider to be of blameless conduct, orthodox in the faith, apt to teach, fit to govern, having a good report as well among those who are without as among those within the Church, and suitable for the holy office of Bishop of the Diocese of................., or otherwise to procure the appointment of a Bishop of the Diocese in accordance with the Canons and Rules of the Church of this Province.

Date (*Signature.*)

APPENDIX C. 2.

(*See A.* 1, *Rule* 16, *and A.* 2, *Rule* 10, *and A.* 3, *Rule* 19, *and B, Rule* 23, *and A.* 4, *Rule* 13.)

FORM OF DECLARATION BY ELECTORS IN A DIOCESAN COUNCIL.

Bearing in mind how important it is that the sacred office of a Bishop should not be unworthily conferred, I do solemnly declare that I will not vote at this election for any person through fear or favour, but in singleness of heart for the glory of God, the good of His Church and the welfare of His people; and I will vote for such persons only as I in my conscience believe to be of such learning and soundness in the faith, and of such virtues and pure manners and conversation, as to be fitted and qualified for the holy office of* a Bishop.

APPENDIX C. 3.

(*See A.* 1, *Rule* 17, *and A.* 2, *Rule* 11, *and A.* 3, *Rule* 20, *and B, Rule* 24, *and A.* 4, *Rule* 14.)

FORM OF DECLARATION BY CANDIDATES.

I, ..., do solemnly declare that I have not influenced by fear or favour or by any promise or bargain any person to vote for my election as Bishop of............(*or* Metropolitan Bishop of Calcutta).

Date (*Signature.*)

APPENDIX C. 4.

(*See Appendices A.* 3, *Rule* 26 *and A.* 4, *Rule* 26.)

FORM OF CERTIFICATE IN THE ELECTION OF PERSONS FROM AMONG WHOM A BISHOP WILL BE APPOINTED.

I...............do hereby certify that a session of the....................Diocesan Council was duly convened and was held at.................on.....................for the purpose of electing persons out of whom one should be chosen to be Bishop of the Diocese; and that the said Council duly passed a resolution solemnly agreeing to accept as Bishop of the Diocese that person whom the Metropolitan and the Bishops who should act with him should choose from among the persons elected by the Council; and that the following is a complete and true list of the persons nominated for election:—

....

....

....

....

(**or*, Bishop of Calcutta and Metropolitan of this Province.)

and that the election was carried out in accordance with the Rules of the Church of this Province; and that I have examined the voting papers and rejected those which under the said Rules were invalid, and have also compared the total number of voting papers with that of the voters and have found it correct.

Signed......................

In the presence of

Chairman.

....

....

Dated......................

APPENDIX C. 5.

(*See Chapter IX, Canon III.*)

FORM OF INSTRUMENT OF CONFIRMATION OF THE ELECTION OR APPOINTMENT OF A BISHOP.

We, the undersigned Bishops of the Episcopal Synod of the Church of India, Burma and Ceylon, being authorised under the Canons and Rules of that Church to execute this present Instrument, do hereby certify that the Bishops of the said Episcopal Synod after due enquiry made and consideration given have satisfied themselves that................ ....who was on the...........day of....................in the year of Our Lord..............elected (*or*, appointed) by* ....to be Bishop of the Diocese of.............. in this Province (*or*, to be Coadjutor, *or*, Assistant Bishop in the Diocese of...............in this Province) is fit in respect of his character, conduct and teaching to be consecrated Bishop (*or*, to exercise the functions of a Bishop) and that his election (*or*, appointment) was valid, and have confirmed the said election (*or*, appointment) of the said.................... ....to be Bishop as aforesaid.

In Testimony whereof We have set our hands, Dated this........................day of................................in the year of Our Lord..............................

(*Signatures of the Bishops executing the Instrument.*)

---

* Here shall be written the name of the body which elected or appointed.

APPENDIX C. 6.

(See Chapter IX, Canon V.)

DECLARATION AGAINST SIMONY.

I..............................solemnly declare that I have not made by myself or any other person on my behalf any payment, contract or promise of any kind whatsoever which to the best of my knowledge or belief is simoniacal, touching or concerning the obtaining the office of...nor will I at any time hereafter perform or satisfy, in whole or in part, any such kind of payment, contract or promise made by any other without my knowledge or consent.

Date *(Signature of person making the declaration.)*

APPENDIX C. 7.

(See Chapter IX, Canon VIII.)

FORM OF ACT OF CONSECRATION OF A BISHOP.

We the undersigned.. did on the day and month hereunder written Consecrate our beloved in Christ...to be a Bishop, he having before the said Consecration taken the oath of canonical obedience to the Metropolitan of this Province and having made the declarations required of a Bishop in this Province under the Canons of the Church of this Province and the instrument recording the confirmation by the Bishops of the Episcopal Synod of this Province of his election (*or*, appointment) to be Bishop having been publicly read at the time of the said Consecration.

In Testimony whereof We have set our hands, Dated this..................................day of......................in the year of Our Lord..

(Signature of all the Bishops who took part in the consecration.)

APPENDIX C. 8.

(*See Chapter IX, Rule* 24.)

FORM OF CERTIFICATE OF ENTHRONEMENT OF A BISHOP.

I the undersigned..............................do certify that being thereto authorised under the Canons and Rules of the Church of this Province, I did on the day and month hereunder written Enthrone the Right Reverend................... ....as Bishop of this Diocese of.........................(and Metropolitan of this Province) in the Cathedral Church of ....of this Diocese, the instrument recording the confirmation by the Bishops of the Episcopal Synod of this Province of his election (*or*, appointment) to be Bishop of this Diocese and the act of his consecration as Bishop having been publicly read at the time of the said enthronement.

In Testimony whereof I have set my hand, Dated this ....day of......................in the year of Our Lord ....

(*Signature of the Archdeacon or other person who performed the enthronement.*)

We, the undersigned, having been present at the enthronement of the above-mentioned Right Reverend......... ....as Bishop of the Diocese of.............do attest this certificate.

(*Signature of two witnesses and date of attestation.*)

APPENDIX C. 9.

(*See Chapter XI, Canon I and Rule* 1.)

FORM OF APPOINTING A COMMISSARY.

(1) General.

We, ..., by Divine permission Bishop of......... to our well beloved in Christ......................, Greeting.

We hereby appoint you our Commissary from (*date*) until we shall for any reason revoke this Commission [*or* until (*date*), *or* until the date of our return to the Diocese] to perform such acts within our Diocese as are permitted by the Canons and Rules of the Church of this Province and are competent to your Order in accordance with our instructions delivered to you or in the absence of such instructions according to your discretion.

Given under our hand and seal at...............on the...day of...............in the year of our Lord the...............and of our $\frac{\text{consecration}}{\text{translation}}$ the........................

(2) SPECIAL.

We, ..., by Divine permission Bishop of......to our well beloved in Christ......................., Greeting.

We hereby appoint you our Commissary for the purpose of....................

Given under our hand and seal at..................... on the ....day of..................in the year of our Lord the ....and of our $\frac{\text{consecration}}{\text{translation}}$ the...........................

APPENDIX C. 10.

(See Chapter XI, Canon II.)

I. FORM OF APPOINTMENT OF A VICAR PROVINCIAL.

We.........................by Divine permission Metropolitan Bishop of the Province of India, Burma and Ceylon, to our well beloved in Christ................................., Bishop of ....in this Province, Greeting.

We hereby appoint you to be our Vicar Provincial in all matters appertaining to our office as Metropolitan and we do hereby give you commission to exercise the jurisdiction of the Metropolitan within the Province of India, Burma and Ceylon and to do all such things as it is the duty of the Metropolitan to do in that Province: and we hereby instruct you in exercising that jurisdiction and in doing those things to adhere to any signed directions which we may give to you or in default of such signed directions to act according to your absolute discretion: and this Commission shall continue and be in force until it be voided either by our return to the Province or by its withdrawal under our hand and seal or by the voidance of the Metropolitical See of Calcutta.

Given under our hand and seal at..........................on the.........................day of..........................in the year of our Lord...and of our $\frac{\text{consecration}}{\text{translation}}$ the..

II. FORM OF APPOINTMENT OF A COMMISSARY PROVINCIAL.

We, ..., by Divine permission Metropolitan Bishop of the Province of India, Burma and Ceylon, to our well beloved in Christ.................................., Bishop of ....in the Province, Greeting.

We hereby appoint you to be our Commissary Provincial in the following (*things or places*,) and we hereby instruct you to adhere to any directions which we may give to you or in default of such directions to act in the matters hereby committed to you according to your absolute discretion: and this Commission shall continue and be in force until the duties above named be performed or it be revoked by us or lapse by voidance of the Metropolitical See of Calcutta.

Given under our hand and seal at........................on the ....day of........................in the year of our Lord..............................and of our $\frac{\text{consecration}}{\text{translation}}$ the......... ....

APPENDIX C. 11.

(*See Chapter XVI, Rule* 1.)

NOTICE OF THE INTENTION OF A CANDIDATE TO OFFER HIMSELF FOR ORDINATION.

Notice is hereby given that..............of.................has been recommended to the Bishop of the Diocese of.........and intends to offer himself as a candidate for the office of......... at the ensuing Ordination by the Bishop of...........intended to be held on the.........day of.........and if any person knows just cause or impediment for which the said..............ought not to be admitted to the Holy Order of...........he is now to declare the same, or to signify the same forthwith to the Bishop aforesaid.

CERTIFICATE OF PUBLICATION.

We certify that Sunday the.............day of.............., the above notice was publicly read by the undersigned (*Clergyman*) in the Church of..............in the Parish of..............in this Diocese during the time of Divine Service and that no impediment was alleged.

Witness our hands this..............day of.................., ...

A. B. (*Clergyman.*)
C. D. and E. F. } (*Churchwardens or Communicant Members.*)

APPENDIX C. 12.

(*See Chapter XVI, Rule* 5.)

FORM OF LETTERS OF ORDERS.

By the tenor of these presents, we, ...by divine permission Bishop of...........in the ecclesiastical Province of India, Burma and Ceylon, do make known unto all men that on the.............day of..............in the year of our Lord ....in the...........of..............at..............within our Diocese We the Bishop before mentioned solemnly administering Holy Orders under the protection of the Almighty did admit our beloved in Christ..............of..............of whose virtuous and pious life and conversation and learning and knowledge of the Holy Scriptures we are well assured into the Holy Order of..............according to the manner and form prescribed and used by the Church of India, Burma and Ceylon and him the said.................did then and there rightly and canonically ordain................., he having first deposited in our hands a testimonial as to his good character signed by three clergymen in Priests' Orders and a certificate signed by a clergyman of the parish of.................and by two witnesses that his intention to present himself for ordination was publicly announced in the Church at................ and having also in our presence freely and voluntarily taken and subscribed the oath and the declarations required to be made by persons about to be ordained under the provisions of the Canons and Rules of the Church of this Province.

In testimony whereof we have caused our Episcopal Seal to be hereunto affixed and we have subscribed these presents the day and year above written and in the year of our $\frac{\text{consecration}}{\text{translation}}$ the...........................

APPENDIX C. 13.

(*See Chapter XVI, Rule* 5.)

FORM OF LICENCE.

We............by Divine permission, Bishop of...........in the ecclesiastical Province of India, Burma and Ceylon, to our Beloved in Christ.........Clerk in the Holy Order of........., Greeting.

We do by these presents give and grant unto you our licence and authority to perform the office of............within our Diocese and Jurisdiction in † preaching the word of God and in † reading the Common Prayers and performing all other ecclesiastical duties belonging to the said office according to the forms prescribed or permitted by the Canons and Rules of the Church of this Province, or, subject to the provisions of those Canons and Rules, by the Bishop of this Diocese, and not otherwise or in any other way;

†......† These words may be omitted at the discretion of the Bishop in the case of a Deacon.

provided, nevertheless, that nothing in this Licence shall extend, or be construed to extend, to abridge the Bishop's authority and office in administering holy ceremonies and performing his functions or to prevent at any time the exercise of his episcopal authority in appointing and specially authorising the Archdeacons and other Ministers as the Bishop may see fit to read and take part in Divine Service at any Church, Chapel, or Station, or in any Parish to which you the said..............may be appointed, and to preach on all proper occasions as the Bishop may direct;

we hereby reserving to ourselves and our successors, Bishops of..................the power and authority of revoking wholly or in part or for a period these presents and all things herein contained, whenever we or they shall be certified of just cause for the same.

In testimony whereof we have caused the Episcopal Seal of the See of..............to be set and affixed to and we have subscribed these presents on this..............day of.............. in the year of our Lord..............and of our $\frac{\text{consecration}}{\text{translation}}$ the...........................

APPENDIX C. 14.

(*See Chapter XVI, Rule* 19.)

FORM OF *BENE DISCESSIT*.

We..............by divine permission, Bishop of............to the faithful in Christ to whom these letters shall come or in anywise concern, Greeting: By these presents we signify that the Reverend................................has been for the space of.......................years licensed by us and our predecessors, and has officiated as a Minister (and Chaplain) within our Diocese and Jurisdiction, and has during that time administered the sacraments and solemnised divine offices, nor hath in the meantime done anything, so far as we know or believe, by which he hath incurred ecclesiastical censure, according to the ecclesiastical laws of the Church of India, Burma and Ceylon, on which account we do, by these presents commend him unto you.

In testimony whereof we have caused our seal which we use in this behalf to be hereunto set and affixed. Dated this...........day of................................in the year of our Lord..and of our consecration/translation the..................................

APPENDIX C. 15.

(*See Chapter XXXVI, Rule* 4.)

FORM OF MEMORANDUM OF APPOINTMENT OF NEW INDIAN CHURCH TRUSTEES.

Memorandum of the appointment of Indian Church Trustee or Trustees at a meeting of the General Council/Standing Committee duly convened and held for that purpose at..................on the..............day of....................19......................A. B. ....of..................................Chairman. Names and descriptions of all the Trustees after the last appointment of .... Trustees made the...........................day of......... ....19.........

(Here insert the names.)

Names and descriptions of the Trustees in whom the property of the Council now becomes legally vested.

First.—Old continuing Trustees.

(Here insert the names.)

Second.—New Trustee or Trustees now chosen and appointed.

(Here insert the names.)

Dated this..............day of....................19 .

SIGNED by the said A. B. as Chairman of the said meeting at and in the presence of the said meeting in the presence of

C. D.

E. F.

A. B.
Chairman of the Meeting.

LIST OF RELIGIOUS COMMUNITIES WITH REGULAR AUTHORISATION IN THE CHURCH OF THIS PROVINCE UNDER THE PROVISIONS OF CHAPTER XVIII OF THE CANONS AND RULES.

INDIAN CHURCH MEASURE, 1927.

[17 & 18 Geo. 5. No. 1.]

ARRANGEMENT OF SECTIONS.

Section.
1. Interpretation.
2. Dissolution of union between the Indian Church and the Church of England.
3. Provisions for the constitution of the Indian Church.
4. Membership of the Indian Church, how proved.
5. Recognition of General Council.
6. Saving right of Bishops.
7. Date of coming into operation.
8. Short title.

Schedule.

To provide for the dissolution of the legal union between the Church of England and the Church of England in India, and to make provisions consequential thereon. [23rd November 1927.]

Whereas it is expedient that the legal union between the Church of England and the Church of England in India shall be dissolved, and that provision should at the same time be made for the last-mentioned Church as proposed to be constituted after the dissolution of the said union:

And whereas a petition to that effect has been presented to the Church Assembly by the General Council of the Church of England in India:

And whereas the Secretary of State in Council of India and the Governor-General of India in Council, and the Archbishop of Canterbury, and the Bishops and duly appointed representatives of the clergy and laity of the Church of England in India in Council assembled, have approved the dissolution of such union:

1. In this Measure—

Interpretation.

the expression "date of severance" means such day not less than two years or more than three years after the coming into operation of this Measure as the Governor-General of India in Council at the request of the General Council shall fix for the dissolution of such union as aforesaid;

the expression "Indian Church" means, in respect of the period before the date of severance the Church of England in India, and in respect of the period commencing on the date of severance, the Church of England in India as severed from the Church of England, notwithstanding the adoption by the said Church of any other name or names;

the expression "rule" includes canon, article, declaration, constitution, and regulation;

the expression "the rules of the Indian Church" means the ecclesiastical law and the articles, canons, doctrines, rites, rules, discipline and ordinances of the Indian Church existing at the date of the passing of this Measure with and subject to such modification or alteration, if any, as may after the passing of this Measure be duly made therein by the Indian Church;

the expression "Bishop of Calcutta" means the occupant for the time being of the See of Calcutta, whether or not that See is constituted an archiepiscopal See;

the expression "General Council" means the body recognised as such by the Bishop of Calcutta.

Dissolution of union between the Indian Church and the Church of England.

2. Upon the date of severance the union legally existing between the Church of England and the Church of England in India shall be dissolved, and—

(i) The enactment mentioned in the first column of the schedule to this Measure shall be repealed to the extent mentioned in the third column of the said schedule;

(ii) The Metropolitan Bishop of the Indian Church shall not, in contemplation of the law, be subject to the general superintendence and revision of the Archbishop of Canterbury, and the obtaining of the Royal Mandate to consecrate shall not be necessary in the case of the consecration of a Bishop for a charge in India, nor shall the Bishops in Foreign Countries Act, 1841, apply to the consecration of any such Bishop, nor shall any Bishop of any diocese in England have any jurisdiction over the Indian Church in India;

5 Vict. c. 6.

(iii) No ecclesiastical court or official of the Indian Church shall have or exercise any coercive jurisdiction;

(iv) The ecclesiastical law of the Church of England, so far as it exists in India, shall in India cease to exist as law; and no proceeding by way of rehearing or appeal from any decision, judgement, sentence, decree or other order of any ecclesiastical court or official of the Indian Church shall be entered, admitted, prosecuted, heard or determined in, by or before any of His Majesty's Courts of Justice in India or elsewhere, any Court of Commissioners delegate in India, or His Majesty in Council;

(v) The rules of the Indian Church shall be binding on the members thereof for the time being in the same manner as if they had mutually agreed to be so bound, and shall be capable of being enforced in the temporal courts in relation to any property lawfully held on behalf of the said Church or any members thereof in the same manner and to the same extent as if such property had been expressly assured upon trust to be held on behalf of persons who should be so bound.

As in the respects particularly in this section mentioned, so in all other respects the Church of England and the Indian Church shall, as from the date of severance, be legally severed, separate and distinct, and every law and custom shall, except as in this Measure expressly provided, be interpreted and applied accordingly.

Provisions for the constitution of the Indian Church.

3.—(1) From and after the coming into operation of this Measure nothing in any Act of Parliament, law or custom, shall prevent the General Council from making, amending or repealing rules for the general management and good government of the Indian Church and the property and affairs thereof, whether in respect of the whole of the said Church, or according to provinces or dioceses or other areas, and rules so made may provide for the future making, amending or repealing of rules for the like purposes and prescribe the persons or bodies by whom, or by which, such rules may be made, amended or repealed:

Provided that no rules so made shall come into operation before the date of severance.

(2) From and after the date of severance nothing in any Act of Parliament, law or custom, shall prevent the Bishops, clergy and laity of the Indian Church from holding synods, councils or assemblies whether general, provincial, diocesan, or according to other areas, or from electing representatives thereto; or any such synod, council or assembly from acting in accordance with the rules of the Indian Church for the time being.

(3) Any rule of the Indian Church made by any synod, council, assembly or officer thereof shall not, after the date of severance, be subject to any legal limitation in respect to scope or effect (whether arising from the operation of an Act of Parliament or otherwise) other than such as would apply to the like rule if made by a voluntary association altogether distinct from the Church of England which should have come into existence on the date of severance:

Provided always that nothing in this section shall be deemed to confer upon the General Council or enable it to confer upon any other person or body of persons any coercive jurisdiction, without prejudice, however, to the operation of the law relating to obligations binding on persons who shall be deemed, in accordance with subsection (v) of section 2 of this Measure, to have mutually agreed to be bound by any such rule.

Membership of the Indian Church, how proved.

4.—(1) If for any temporal purpose in connection with this Measure, or if in any proceedings in any temporal court, it shall be necessary to determine whether any person is, or at any past date was, a member of the Indian Church or of any Church in communion therewith, a certificate under the hand of the Bishop of Calcutta stating that such person is or is not, or was or was not on a named past date, a member of the Indian Church or of a Church in communion therewith, shall conclusively determine the fact stated therein.

(2) A certificate purporting to be made and signed by the said Bishop shall be deemed to have been made and signed by him until the contrary be shown.

Recognition of General Council.

5.—(1) The recognition of the General Council as such by the Bishop of Calcutta shall be sufficiently proved for all purposes by an expression of that recognition in writing under the hand of such Bishop; and if any question at any future time shall arise as to whether any assembly was or was not the General Council for the purposes of this Measure, whether generally, or on a particular occasion, or at a particular time, such question shall be referred to the Bishop aforesaid, and by him finally decided.

(2) (i) A document purporting to be a writing under this section, and to be signed by the Bishop of Calcutta shall be deemed to be such and to have been made and signed by him until the contrary be shown.

(ii) No proceedings of the General Council, in pursuance of this Measure, shall be invalidated by any vacancy in the membership of that Council or by any defect in the qualification or election of any member thereof.

Saving right of Bishops.

6. Nothing in this Measure or in any Act of Parliament shall prevent any person who is or has been Bishop of any Diocese in India from performing episcopal functions, not extending to the exercise of jurisdiction, in any Diocese or reputed Diocese at the request of the Bishop thereof.

Date of coming into operation.

7. This Measure shall come into operation on a date to be fixed by His Majesty in Council, but no date shall be so fixed unless and until an Act of Parliament is passed providing for the repeal of Part X of the Government of India Act so far as it relates to the Church of England.

Short title.

8. This Measure may be cited as the Indian Church Measure, 1927.

Section 2.

THE SCHEDULE.

ENACTMENT REPEALED.

Session and Chapter.	Short Title.	Extent of Repeal.
15 & 16 Vict. c. 52.	The Colonial Bishops Act, 1852.	In section one the words "by virtue of such Royal "Letters Patent under "the Great Seal of the "said United Kingdom."

INDIAN CHURCH ACT, 1927.

[17 & 18 Geo. 5. Ch. 40.]

ARRANGEMENT OF SECTIONS.

Section.

1. Interpretation.
2. Certain events to happen as from date of severance.
3. Saving of certain rights.
4. Resumption of control of Maintained Churches.
5. Power to make rules.
6. Incorporation and powers of Indian Church Trustees and vesting of property.
7. Interpretation of documents.
8. Trusts.
9. Saving rights.
10. Provisions as to marriages.
11. Commencement.
12. Short title.

Schedules.

An Act to make provision incidental to and consequential on the dissolution of the legal union between the Church of England and the Church of England in India.

Whereas by the Indian Church Measure, 1927, provision is made for the dissolution of the legal union between the Church of England and the Church of England in India:

And whereas for the purpose of giving effect to certain changes consequential on the said Measure it is expedient that the provisions hereinafter contained should be enacted by Parliament:

Be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1. In this Act—

Interpretation.

The expression "date of severance" means such day as may be fixed under the said Measure as the date for the dissolution of such union as aforesaid;

The expression "Indian Church" means, in respect of the period before the date of severance, the Church of England in India and, in respect of the period commencing on the date of severance, the Church of England in India as severed from the Church of England notwithstanding the adoption by the said church of any other name or names;

The expression "the Bishop of Calcutta" means the occupant for the time being of the See of Calcutta, whether or not that See is constituted an Archiepiscopal See;

The expression "General Council" means the body recognised as such by the Bishop of Calcutta;

The expression "chaplain" means a clergyman in priest's orders in the Church of England or a church in communion with the Church of England who is appointed by the Secretary of State in Council of India to a chaplaincy in pursuance of his existing practice or powers, or any such clergyman in the permanent service of the Crown who is accepted by the Secretary of State in Council as holding a like chaplaincy;

The expression "Maintained Church" means a church specified in the list contained in the Second Schedule to this Act as varied from time to time under the provisions of the Act or of rules made thereunder;

The expression "property subject to this Act" means all property of whatsoever kind held on behalf of or for the benefit of the Indian Church or of any diocese or dioceses or other part or parts thereof or of any person holding office in the said church or any diocese thereof as such or for the furtherance of any religious, educational or philanthropic work in connection therewith;

The expressions "the Societies Registration Act, 1860", "the Indian Companies Act, 1913", and "the Indian Christian Marriage Act, 1872", mean the Acts of the Indian Legislature which may be cited by those titles respectively.

Certain events to happen as from date of severance.

2. As from the date of severance—

(i) The enactment mentioned in the first column of the First Schedule to this Act shall be repealed to the extent specified in the second column of the said Schedule:

(ii) All Letters Patent of His Majesty by or under the authority of which any bishop or archdeacon has been appointed to a bishopric or archdeaconry in the Indian Church, whether issued in pursuance of an Act of Parliament or not, shall be deemed to be spent and of no effect whatsoever in law, but without prejudice to any lawful act done under the authority of such Letters Patent before the date of severance:

Provided that nothing in this paragraph shall be deemed to terminate the appointment of any such bishop or archdeacon or to affect any right or claim which any such bishop or archdeacon may have to any salary, pension, allowance or other payment;

(iii) No person shall be appointed or nominated by His Majesty by virtue of any existing right of patronage, appointment or nomination to any bishopric in the Indian Church.

(iv) Every ecclesiastical corporation of the Indian Church whether sole or aggregate shall be dissolved:

Provided that this enactment shall not apply to any corporation created under the Societies Registration Act, 1860, the Indian Companies Act, 1913, or any other Act of the Indian Legislature authorising the registration or incorporation of companies.

Saving of certain rights.

3. Save as expressly provided in this Act or in rules made thereunder—

(1) Notwithstanding any defects or informalities in the documents or proceedings, it is declared that where any church or burial ground has been consecrated before the commencement of this Act with the approval or at the request of a competent civil authority and the site thereof was at the date of the sentence of consecration and has ever since remained vested in the Crown such consecration shall be deemed to have conferred upon the Indian Church and upon its officials and members respectively such rights of possession, control, and user of the site and buildings (if any) as they respectively would have had if prior to the pronouncing of the sentence of consecration the site and buildings had been conveyed or assured to a person or persons to hold the same on behalf of or in trust for the Indian Church:

(2) The Indian Church and the officials and members thereof respectively shall have and be entitled to exercise, after the date of severance, all such rights of possession, control and user of the site and buildings (if any) of any consecrated church or burial ground as the Indian Church and the officials and members thereof respectively had immediately prior to that date, and all references to "the United Church of England and Ireland", "the Church of England" or "the Church of England in India" (whether such terms are used with or without the addition of the words "as by law established") in any petition for or sentence of consecration or in any conveyance or declaration of dedication of the site of any such church or burial ground shall be construed as references to the Indian Church.

Resumption of control of Maintained Churches.

4.—(1) If the Archbishop of Canterbury shall certify by a writing under his hand sent to the Governor-General of India in Council that the Indian Church has ceased to be in communion with the Church of England, the Governor-General of India in Council on receipt of such certificate shall cause the same to be published in the Gazette of India and shall forward a certified copy to the Bishop of Calcutta and thereupon shall be at liberty to resume complete control of all or any Maintained Churches or burial grounds, whether consecrated or not, and the Indian Church and the officials and members thereof respectively shall cease to have any rights therein.

(2) (i) Every such resumption of complete control shall be effected by not less than twelve months' notice sent to the Bishop of Calcutta and expiring at the end of a financial year of the Government of India.

(ii) No such notice shall be valid unless given before the expiration of two years from the date of the publication of the certificate of the Archbishop of Canterbury.

(3) Upon such resumption of complete control of a church or burial ground the church or burial ground shall, if not already so vested, by virtue of such notice and without any conveyance being necessary vest in the Crown or such person or persons as the Governor-General of India in Council shall appoint for an absolute estate in possession, and if duly consecrated shall be held in trust for the purposes of the Church of England, and shall be freed from any claim by the

Indian Church or any officials or members thereof connected therewith.

Power to make rules.

5. The Governor-General of India in Council, with the sanction of the Secretary of State in Council of India, and, save as by the rules expressly provided, with the concurrence of the Bishop of Calcutta, may make rules—

(i) Regulating the licensing, posting, discipline, ministrations, duties, and supervision of chaplains;

(ii) Providing for episcopal ministrations and the making of grants out of the revenues of India in respect thereof;

(iii) Regulating the removal of churches from and the addition of churches to the list contained in the Second Schedule to this Act, and the transfer of churches from one Part or sub-division of a Part of the list to another Part or sub-division;

(iv) Making provision for vesting any Maintained Churches, and the goods and ornaments thereof, in the Indian Church Trustees, or in any other person or persons, subject to any conditions that may be prescribed regarding the use of the churches while so vested;

(v) Prescribing the circumstances in which and the conditions on which any Maintained Churches and the goods and ornaments thereof shall cease to be so vested, and the disposal of them in that event;

(vi) Making provision for the services of the Church of England and of the Indian Church to be held in Maintained Churches, and the hours at which they shall be held;

(vii) Making provision for the administration of the rules and practice of the Indian Church in Maintained Churches with or without modification thereof;

(viii) Providing for the loan of Maintained Churches to other denominations, according to the practice now existing;

(ix) Providing for any special system of supervision which may be found to be necessary of chaplains engaged in ministering to troops;

(x) Making provision for referring to arbitration differences regarding or arising out of the rules, including any difference between the Governor-General of India in Council and the Bishop of

Calcutta as to any amendment or variation thereof, and in such case for amending or varying the rules in accordance with the award of the Arbitrator without the concurrence of the Bishop of Calcutta;

(xi) Prescribing the conditions on which, the circumstances in which, the extent to which, the procedure by which and the persons with whose assent, concurrence, sanction or approval the arrangements embodied in the rules, or any of them, may from time to time be terminated, modified or brought into being again;

(xii) Providing for any matters incidental to, or consequential on, any of the said powers, and making any supplemental provisions which may appear necessary or expedient for giving effect to such powers, including provisions for the maintenance at the Government expense of any Maintained Churches.

Incorporation and powers of Indian Church Trustees and vesting of property.

6.—(1) At any time after the commencement of this Act, the General Council may by resolution appoint such number of persons as they shall see fit (not being less than three) to represent the Indian Church and to hold property for any uses or purposes thereof, and when it is shown to the satisfaction of His Majesty the King that the said Council has appointed such persons His Majesty the King in Council may by Charter incorporate them and their successors with power to hold land without licence in mortmain under the name of the Indian Church Trustees.

(2) At any time after the commencement of this Act and before the date of severance, any corporation or corporations sole or aggregate which will be dissolved under paragraph (iv) of section two of this Act may, by declaration in writing, vest any property subject to this Act held by it or them, severally or jointly, in any society or body of trustees duly registered under the Societies Registration Act, 1860, or the Indian Companies Act, 1913, and that society or body shall hold such property on the same trusts or for the same purposes on or for which the corporation or corporations held it.

(3) Subject to the provisions of this Act and rules made thereunder, upon the date of severance all property subject to this Act shall vest in the Indian Church Trustees, except the following, *viz.*:—

(*a*) churches for the time being entered in Part I of the Second Schedule to this Act and the goods and ornaments of such churches;

(*b*) cemeteries other than those vested in corporations dissolved by this Act;

(*c*) property held by societies or bodies of trustees duly registered under the Societies Registration Act, 1860, or the Indian Companies Act, 1913;

(*d*) property held by or in trust for or on behalf of any missionary or religious society or religious community of which the head office, headquarters, governing body, mother house, superior or head, as the case may be, is situated or usually resident outside India, whether or not such property is directly controlled or administered by such head office, headquarters, governing body, mother house, superior or head;

(*e*) property held by trustees, whether corporate or unincorporate, in respect of which the trustees or a majority thereof before the date of severance shall certify by a writing under their hands sent to the Governor-General of India in Council (who shall send a copy thereof to the Bishop of Calcutta) that they or such majority of them object to such property vesting in the Indian Church Trustees; and

(*f*) property exempted by the Governor-General of India in Council from the operation of this subsection by notification in the Gazette of India before the date of severance.

(4) The churchyards of consecrated churches shall vest in those persons or bodies in whom, under the provisions of this Act, the respective churches vest.

(5) At any time after the incorporation of the Indian Church Trustees any trustees, whether corporate or unincorporate, may by declaration in writing vest any property subject to this Act held by them in the Indian Church Trustees or in any diocesan society or body of trustees duly registered under the Societies Registration Act, 1860, or the Indian Companies Act, 1913, to be held by them or it on the same trusts, and the Indian Church Trustees may by declaration in writing vest any property subject to this Act held by them in any such diocesan society or body of trustees to be held by them or it on the same trusts:

Provided that no such property shall be so vested in the Indian Church Trustees or a diocesan society or other body of trustees without their consent.

Interpretation of documents.

7. Subject to the provisions of this Act and rules made thereunder, in all grants, deeds, or other instruments relating to property subject to this Act, references to "the United Church of England and Ireland", "the Church of England", or "the Church of England in India" (whether such terms are used with or without the addition of the words "as by law established"), shall, on and after the date of severance, be construed as references to the Indian Church.

Trusts.

8.—(1) (*a*) If at any time before the date of severance it shall be represented to the Bishop of Calcutta or to the Bishop of the diocese concerned by a majority of the trustees or the governing body of any trust in connection with any property subject to this Act, or by any persons claiming to be beneficiaries of any such trust, that it is desirable that a scheme should be settled therefor, a tribunal consisting of the Bishop of Calcutta, the Bishop or Bishops of the diocese or dioceses concerned, and a person to be nominated by the Bishop of Calcutta shall have power, if they think fit, to settle a scheme for such trust.

(*b*) Any such scheme shall be published in the Gazette of India.

(*c*) Any trustees or person claiming to be a beneficiary of such trust may object to any such scheme by representation in writing made to the Bishop of Calcutta within three months after the publication of such scheme. Such objection shall be considered by the tribunal who shall have power to modify such scheme accordingly if they think fit, and shall republish the same (whether modified or not) in the Gazette of India.

(*d*) Any such scheme, whether modified or not, shall, subject to any decree of the Court under subsection (2) of this section, take effect if no objections are submitted on the expiration of the time limited for objections or the date of severance, whichever is the later, or if objections are submitted on the republication of the scheme or the date of severance, whichever is the later, and on taking effect shall have the same force and effect as a scheme settled by the Court under section ninety-two of the Code of Civil Procedure.

(2) Notwithstanding the provisions of subsection (1) of this section, the provisions of section ninety-two of the Code

of Civil Procedure shall apply to any trusts referred to in this section with the following modifications:—

(*a*) The Court for this purpose shall consist of (i) the Judge; (ii) two persons to be nominated by the Bishop of Calcutta; and (iii) two persons to be nominated by the plaintiff or plaintiffs in accordance with rules to be made by the Judge:

(*b*) On all questions of law the decision of the Judge of the Court shall prevail; on all questions of fact or mixed fact and law the decision of the majority shall prevail. On a question whether any matter is a question of law or of fact or of mixed fact and law the decision of the Judge shall prevail:

(*c*) No appeal shall lie from the decision of the Court save by leave of the Judge, who shall grant such leave if he is satisfied that such appeal raises a substantial question of principle and not one of detail:

(*d*) Appeals from the decision of the Court shall be deemed for all purposes to be appeals from the Court sitting under section ninety-two of the Code of Civil Procedure, but no appeal shall lie to His Majesty in Council.

(3) It shall be lawful for the Indian Legislature, with the previous approval of the Secretary of State in Council of India, to repeal or alter any of the provisions of this section.

Saving rights.

9. Nothing in this Act, whether by reason of the repeal of any existing enactment or otherwise, shall (save as expressly provided) affect—

(i) The power of His Majesty or of the Secretary of State in Council of India to continue, in respect of services whether rendered before or after the date of severance to grant, allow, and pay, or cause to be paid, out of the revenues of India, to any person now or at the date of severance holding or having held any bishopric or archdeaconry in the Indian Church such salary, allowance, pension, or other payment as by virtue of any Act of Parliament His Majesty or the Secretary of State in Council of India, before the passing of this Act, was or hereafter may be authorised to grant, allow, and pay, or cause to be paid; nor any right or claim of any such person to receive such salary, allowance, pension, or other payment;

(ii) The existing right of any person who now holds or has held any bishopric or archdeaconry to any title or precedence which he would have enjoyed if this Act had not been passed;

(iii) The continuance of the existing practice of the Secretary of State in Council of India or the Governor-General of India in Council, or of the Governments of the Provinces of India, with regard to providing or maintaining out of the revenues of India churches and chapels for the use of the Indian Church;

(iv) The continuance of the existing practice of the Secretary of State in Council of India with regard to appointing, paying and granting pensions out of the revenues of India to chaplains to minister in India and to making grants-in-aid to persons other than chaplains for ministering in Maintained Churches or elsewhere.

Provisions as to marriages.

10. The Indian Christian Marriage Act, 1872, shall apply to the Indian Church on and after the date of severance in like manner in all respects as it applied to the Indian Church before the date of severance.

Commencement.

11. This Act shall come into operation on the date fixed by His Majesty in Council for the coming into operation of the Indian Church Measure, 1927.

Short title.

12. This Act may be cited as the Indian Church Act, 1927.

SCHEDULES.

FIRST SCHEDULE.

ENACTMENT REPEALED.

Short title.	Extent of repeal.
The Government of India Act.	Part X, so far as it relates to the Church of England; that is to say, sections one hundred and fifteen, one hundred and seventeen, one hundred and eighteen, one hundred and nineteen, one hundred and twenty, and one hundred and twenty-one.

Sections 1, 5 and 6.

SECOND SCHEDULE.

LIST OF MAINTAINED CHURCHES FOR THE YEAR 1941-42.

PART I.

CHURCHES VESTED IN THE CROWN.

A. Military Churches.

Station.	Dedication.	Station.	Dedication.
DIOCESE OF CALCUTTA.		DIOCESE OF MADRAS—*contd.*	
Balasore	St. John the Baptist.	Calicut	St. Mary.
Barrackpore	St. Bartholomew.	Madras	St. Mary.
Calcutta	St. Peter.	Malapuram	Christ Church.
Dinapore	St. Luke.	Secunderabad	St. John.
Muzaffarpur	Christ Church.	St. Thomas' Mount.	St. Thomas.
DIOCESE OF MADRAS.		Trimulgherry	All Saints.
		Wellington	St. George.
Bangalore	St. Mark.	DIOCESE OF BOMBAY.	
Bangalore	Holy Trinity.	Ahmedabad	St. George.
Bolaram	Holy Trinity.	Ahmednagar	Christ Church.

Diocese of Bombay—*contd.*

Station.	Dedication.
Belgaum	St. Mary.
Bombay	St. John the Evangelist.
Deesa	Christ Church.
Ghorpuri	—
Kirkee	All Saints.
Poona	St. Mary.
Purandhar	Holy Trinity.
Satara	St. Thomas.

Diocese of Lahore.

Station.	Dedication.
Abbottabad	St. Luke.
Ambala	St. Paul.
Bakloh	St. Oswald.
Bannu	St. George.
Campbellpore	All Saints.
Cherat	St. Saviour.
Dagshai	St. Saviour.
Dalhousie	St. John.
Delhi New Cantonments.	St. Martin.
Dera Ismail Khan.	St. Thomas.
Ferozepore	St. Andrew.
Hyderabad (Sind).	St. Thomas.
Jhelum	St. John.
Jullundur	St. Luke
Jutogh	St. Michael.
Karachi	Holy Trinity.
Kasauli	Christ Church.
Kohat	St. Augustine.
Lahore	St. Mary Magdalene.
Manora	St. Paul.
Mardan	St. Alban.
Multan	St. Mary.
Nowshera	Christ Church.
Peshawar	St. John.
Quetta	St. Mary of Bethany.
Rawalpindi	Christ Church.
Rawalpindi	St. Mary.
Sabathu	—

Diocese of Lahore—*contd.*

Station.	Dedication.
Sanawar	Holy Trinity.
Sialkot	Holy Trinity.
Solon	—

Diocese of Lucknow.

Station.	Dedication.
Agra	St. George.
Agra	St. Matthew.
Allahabad	St. David.
Almora	St. Mark.
Bareilly	St. Stephen.
Bareilly	Christ Church.
Benares	St. Mary.
Cawnpore	All Souls.
Cawnpore	St. John.
Chakrata	St. Hugh.
Chaubatia	St. Michael.
Fyzabad	St. Andrew.
Jhansi	St. Martin.
Landour	St. Paul.
Lansdowne	St. Mary.
Lucknow	All Saints.
Meerut	St. John.
Muttra	Christ Church.
Ranikhet	St. Peter.
Roorkee	St. John.
Shahjahanpur	St. Mary.
Sitapur	All Souls.

Diocese of Nagpur.

Station.	Dedication.
Jubbulpore	St. Michael and All Angels.
Kamptee	Christ Church.
Mhow	Christ Church.
Nasirabad	St. Paul
Nowgong	St. Peter.
Pachmarhi	Christ Church.
Saugor	St. Peter.

Diocese of Rangoon.

Station.	Dedication.
Port Blair	Christ Church.

B. Civil Churches.

DIOCESE OF CALCUTTA.

Station.	Dedication.
Arrah	The Holy Saviour.
Bankipore	Christ Church.
Bhagalpore	Christ Church.
Calcutta	St. John.
Calcutta	St. Stephen.
Chinsurah	—
Cuttack	The Epiphany
Dacca	St. Thomas.
Darjeeling	St. Andrew.
Dum Dum	St. Stephen.
Dumka	St. Andrew.
Gaya	St. David.
Howrah	St. Thomas.
Howrah	St. Peter.
Jalpaiguri	St. Michael and All Angels.
Jessore	Christ Church.
Khagole	Christ Church.
Khurda Road	St. John.
Kurseong	Christ Church.
Mymensingh	Christ Church.
Puri	St. Thomas.
Purnea	Emmanuel.
Serampore	St. Olave.
Suri	All Saints.

DIOCESE OF CHOTA NAGPUR.

Station.	Dedication.
Hazaribagh	St. Stephen.

DIOCESE OF ASSAM.

Station.	Dedication.
Comilla	Christ Church.
Dibrugarh	St. Paul.
Gauhati	Christ Church.
Shillong	All Saints.

DIOCESE OF MADRAS.

Station.	Dedication.
Bangalore	St. John.
Bellary	Holy Trinity.
Berhampore	St. Stephen.
Bimlipatam	St. Peter.
Cannanore	St. John.
Chittoor	St. Luke.
Cocanada	St. Thomas.

DIOCESE OF MADRAS—*contd.*

Station.	Dedication.
Coimbatore	All Souls.
Coonoor	All Saints.
Dowlaishwaram.	Church of the Good Shepherd.
Gudalur	St. John.
Kotagiri	Christ Church.
Kumbakonam	Christ Church.
Lovedale	Church of the Ascension.
Madras	St. Mathias.
Madras	St. Mark.
Mangalore	St. Paul.
Mercara	St. Mark.
Mysore	St. Bartholomew.
Negapatam	St. Peter.
Nellore	Christ Church.
Ootacamund	St. Stephen.
Palamcottah	Christ Church.
Poonamallee	St. Mary Magdalene.
Rajahmundry	Holy Trinity.
Salem	Christ Church.
Tranquebar	Zion Church.
Trichinopoly	St. John.
Vellore	St. John.
Vizagapatam	St. John.
Waltair	St. Paul.

DIOCESE OF TRAVANCORE AND COCHIN.

Station.	Dedication.
Cochin (Cochin State)	St. Francis.
Quilon (Travancore State).	St. Thomas.

DIOCESE OF TINNEVELLY.

Station.	Dedication.
Madura	St. George.
Tuticorin	—

DIOCESE OF DORNAKAL.

Station.	Dedication.
Masulipatam	St. Mary.

Diocese of Bombay.

Station.	Dedication.
Aurangabad	Holy Trinity.
Bandra	St. Stephen.
Baroda	St. James.
Bijapur	All Saints.
Broach	St. Mathias.
Dharwar	All Saints.
Igatpuri	St. Mathias.
Kaira	St. George.
Lonavla	All Saints.
Mahableshwar	Christ Church.
Mount Abu	St. Saviour.
Poona	St. Paul.
Rajkot	Christ Church.
Sholapur	Christ Church.
Surat	Christ Church.

Diocese of Lahore.

Station.	Dedication.
Amritsar	St. Paul.
Bhatinda	——
Dalhousie	St. John.
Delhi	St. James.
Dharamsala	St John in the Wilderness.
Gujranwala	Christ Church.
Gurdaspur	All Saints.
Gulmarg	St. Mary.
Hissar	St. Thomas.
Kalka	St. John.
Khewra	St. James.
Kotri	Christ Church.
Lahore	St. Andrew.
Ludhiana	Christ Church.
Lyallpur	St. Peter.
Madhupur	All Saints.
Moghalpura	St. Oswald.
Montgomery	St. Patrick.
Murree	Holy Trinity.
New Delhi	Church of the Redemption.
Sargodha	St. Fillan's.
Simla	All Saints.
Simla	Christ Church.
Sirsa	St. John in the Wilderness.
Srinagar	All Saints.
Sukkur	St. Saviour.

Diocese of Lucknow.

Station.	Dedication.
Agra	St. Paul.
Aligarh	Christ Church.
Allahabad	Holy Trinity.
Badaon	St. Saviour.
Basti	St. James.
Dehra Dun	St. Thomas.
Fatehgarh	All Souls.
Ghaziabad	Holy Trinity.
Ghazipur	St. Thomas.
Gonda	St. Thomas.
Gorakhpur	Christ Church.
Jaunpur	Holy Trinity.
Lakhimpur	Christ Church.
Lalitput	St. John.
Lucknow	Christ Church.
Mirzapur	St. John.
Moradabad	St. Paul.
Mussoorie	Christ Church.
Naini Tal	St. John in the Wilderness.
Saharanpur	St. Thomas.

Diocese of Nagpur.

Station.	Dedication.
Ajmer	St. Mary
Amraoti	St. Thomas.
Bandikui	St. John the Baptist.
Chhindwara	St. Mark.
Ellichpur	St. Andrew.
Indore	St. Anne.
Jubbulpore	Christ Church.
Morar, Gwalior	Christ Church.
Nagpur	All Saints.
Raipur	St. John.
Sambalpur	St. James.
Sehore	All Saints.
Sutna	St. Mary.

PART II.

CHURCHES NOT VESTED IN THE CROWN.

DIOCESE OF CALCUTTA.

Station.	Dedication.
Asansol	St. Paul.
Calcutta	St. James.
Calcutta	St. Paul.
Saidpur	Christ Church.

DIOCESE OF CHOTA NAGPUR.

Station.	Dedication.
Dhanbad	St. Mary.

DIOCESE OF MADRAS.

Station.	Dedication.
Madras	Christ Church.
Madras	St. George.

DIOCESE OF DORNAKAL.

Station.	Dedication.
Bezwada	St. Paul.

DIOCESE OF BOMBAY.

Station.	Dedication.
Bombay	Christ Church.
Bombay	St. Thomas.
Matheran	St. Paul.

DIOCESE OF LAHORE.

Station.	Dedication.
Dungagali	St. Simon and St. Jude.
Kangra	St. James.
Lahore	The Church of the Resurrection.
Nathiagali	St. Matthew.

DIOCESE OF LUCKNOW.

Station.	Dedication.
Allahabad	All Saints.
Chunar	The Settlement Church.
Tundla	Christ Church.

DIOCESE OF NAGPUR.

Station.	Dedication.
Badnera	St. George.
Bhopal	The Holy Redeemer.
Bina	St. John the Baptist.
Katni	St. Philip and St. James.

THE INDIAN CHURCH STATUTORY RULES.

1. (1) These rules may be called the Indian Church Statutory Rules, 1929.

(2) They shall come into operation on the date of severance.

CHAPLAINS.

2. No Chaplain shall minister in any Maintained Church in any diocese in India unless he has obtained and holds a licence to officiate (hereinafter called a licence) from the Bishop of the diocese concerned. Every such Chaplain as a condition of obtaining such licence shall make the declarations required to be made by the Canons of the Indian Church before a licence is granted. Such licence when requested shall not be withheld except on account of the Chaplain's refusal to make any of the said declarations or for reasons for which under the law for the time being in force in England a Bishop of the Church of England may refuse to institute or admit a clergyman presented to a benefice in England other than reasons concerning the transfer of the right of patronage and any reasons named in the English Law in force at the time which may be declared by the Governor-General with the concurrence of the Bishop of Calcutta to be inapplicable in India. If any Bishop of the Indian Church withholds a licence for which request is made by a Chaplain either on first appointment as Chaplain or on transfer from one diocese to another, the Chaplain may appeal either to the Bishop of Calcutta or, if the Bishop of Calcutta is the Bishop who has withheld the licence, to the Bishop of Madras or the Bishop of Bombay, whichever is senior by consecration, and the decision on the appeal shall be final. If any such appeal is allowed, the Bishop who has withheld the licence shall thereupon grant it. Provided that a Chaplain working in India at the date of severance and holding a licence from the Bishop of his diocese shall not be required to obtain a new licence unless and until he is transferred to another diocese, and if he be transferred to another diocese, he shall be allowed to make the declarations which were required before the date of severance instead of the declarations required to be made by the Canons of the Indian Church if he have a conscientious objection to anything contained in the latter.

3. Every Chaplain shall be under the episcopal supervision of the Bishop whose licence he holds, and his successors.

4. No Chaplain shall undertake any work other than that of ministering to His Majesty's troops and the servants of the Crown and their families if either the Bishop or the Governor-General objects to his undertaking such work.

5. Subject to the provisions of Rule 6, no Chaplain shall officiate as a minister of the Indian Church except in so far as he may be authorised so to officiate in accordance with the rules for the time being of the Indian Church; nor shall any Chaplain administer or perform any sacrament, rite, ceremony, solemnisation of marriage, service or religious ministration of any kind purporting to be a sacrament, rite, ceremony, solemnisation, service or religious ministration of the Indian Church except in conformity with the rules for the time being of that Church.

6. Every Chaplain shall have the right to use the services contained in any Book of Common Prayer from time to time authorised by law in England when ministering in a Maintained Church or elsewhere to a congregation which includes members of the Church of England temporarily resident in India and which worships in the English language, and no Chaplain shall, by reason of exercising this right, notwithstanding anything in the Constitution, Canons or Rules of the Indian Church, be liable to any ecclesiastical penalty, censure or disability whatsoever, nor shall any authority of the Indian Church hinder any Chaplain in the exercise of such right.

7. Subject to the provisions of Rule 2, Chaplains shall be posted by such person or persons as the Governor-General after consultation with the Bishop of Calcutta shall appoint.

8. The Governor-General shall facilitate the attendance of Chaplains at Diocesan Councils when summoned by the Bishops.

9. Before commencing proceedings or allowing proceedings to be commenced against any Chaplain before any Ecclesiastical Court, the Diocesan Bishop concerned shall notify the Provincial Government or Chief Commissioner concerned of his intention so to do, and shall give the fullest consideration to any representation on the subject that may within four weeks of such notification be made to him by the Provincial Government or Chief Commissioner.

10. Before withdrawing the licence of any Chaplain the Diocesan Bishop concerned shall communicate in confidence in such way as he thinks fit with the Provincial Government or Chief Commissioner concerned, and shall, if desired, discuss his intention privately with such Provincial Government or Chief Commissioner.

MAINTAINED CHURCHES.

11. The Churches entered for the time being in the Second Schedule to the Indian Church Act shall be maintained and repaired at Government expense, provided that nothing in this rule shall impose any liability on Government to repair any Church when before the passing of the Act such Church was not repaired at Government expense.

12. The Governor-General may remove any Church from the list contained in the Second Schedule to the Indian Church Act by agreement with the Bishop of Calcutta or by twelve months' notice expiring with the end of a financial year, provided that such notice shall not be given unless he has notified his intention to do so to the Bishop of Calcutta and allowed him a reasonable opportunity of showing cause against such removal.

13. The Governor-General may with the concurrence of the Bishop of Calcutta add any Church to the list, transfer any Church from one sub-division of Part I of the list to another, or replace on the list any Church which has been removed in accordance with Rule 12, and such addition or replacement shall take effect from the beginning of a financial year.

14. The Governor-General shall, before the end of March in each year, send to the Bishop of Calcutta a correct list of Maintained Churches for the ensuing financial year.

15. If the Governor-General removes a Church from the list for the time being of Maintained Churches, such Church if at that time vested in the Crown shall vest in the Indian Church Trustees, provided that if the Governor-General shall so require, the Indian Church Trustees shall hold it upon the trusts following, namely:—

(1) Upon trust to permit the services of the Church of England as contained in any Book of Common Prayer from time to time authorised by law in England or any of them to be performed in that Church for any congregation which includes members of the Church of England domiciled in

the British Isles (*a*) If a majority of the members of the congregation so domiciled or a majority of the members of the congregation worshipping in that Church in the English language desire such services, and (*b*) if and so long as the congregation is willing to contribute an equitable sum to be determined by the Bishop of the Diocese towards the cost of such services and towards the maintenance and repair of the Church;

(2) Upon trust to arrange for such services to be held at such times as are convenient to the congregation;

Provided further that if during a period of seven consecutive years, which period may include any period previous to the date of severance, no service has been held in any such Church, such Church shall be held freed and absolved from the trusts (if any) above specified.

16. Subject to the provisions of these Rules the Churches from time to time entered in the list of Maintained Churches shall be available for the services of the Church of England as contained in any Book of Common Prayer from time to time authorised by law in England.

17. The services mentioned in Rule 16, when performed in a Maintained Church, shall be performed in such manner and according to such rules and by such persons as may be agreed as being in accordance with the practice of the Church of England by the Governor-General and the Bishop of Calcutta, or, failing agreement, as may be determined by the Archbishop of Canterbury.

18. Subject to the provisions of Rules 16 and 22, a form of service or a form of part of a service authorised in India, whether authorised by law in England or not, may be used in a Maintained Church, if the Chaplain or Minister in Charge of that Church and the Church Committee desire it.

19. (1) Forms of service authorised by the Bishop of Calcutta or the Bishop of the Diocese either (i) for special occasions at the request or with the consent of the Governor-General or any Provincial Government or Chief Commissioner or (ii) for troops at the request of the Commander-in-Chief in India, may be used in Maintained Churches either in addition to the Church of England services or in substitution therefor.

(2) Special Collects or Prayers for occasions or subjects peculiar to India may, on the appropriate occasions, be either substituted for prayers in the Church of England services or be added to those services.

20. Subject to the provisions of Rule 19, no service or part of a service which is not either contained in any Book of Common Prayer from time to time authorised by law in England or authorised by the Indian Church shall be used in a consecrated Maintained Church except when the Church is lent to some other Church or denomination.

21. No sacrament, rite, ceremony, solemnisation of marriage, service or religious ministration of any kind purporting to be a sacrament, rite, ceremony, solemnisation, service or religious ministration of the Indian Church shall be administered or performed in any Maintained Church except in conformity with the rules for the time being of the Indian Church.

22. The services of the Church of England shall, in every Maintained Church, have the first claim to the hours of service on every Sunday and Holy Day, and the times at which they shall be held shall be those most convenient to the congregation attending the Church of England services which are conducted in the English language in that Church. The hours shall be fixed by the Chaplain or Minister in Charge in consultation with the Church Committee, and, in the case of services for troops, the Officer Commanding the station.

23. No congregation which at the date of severance had a customary right to worship in a Maintained Church shall be prevented from so doing.

24. The practice or practices followed by the Church of England in India with regard to the marriage of persons in Churches during the twenty years preceding the date of severance, including those relating to the marriage in Church of divorced persons and to marriages between persons within the prohibited degrees, shall continue to be followed in Maintained Churches unless and until they are modified by the Indian Church, but no person whose domicile is outside India shall be debarred by any rule made by the Indian Church from being married in a Maintained Church who would have been entitled to be married in such Church in accordance with the practices followed before the date of severance.

25. The arrangements made for the loan of Churches which have been consecrated for the use of the Church of England which are in force at the date of severance shall be carried out by the Church in India unless varied the mutual consent of the Governor-General in Council and the Bishop of Calcutta.

EPISCOPAL SUPERVISION AND MINISTRATIONS.

26. The Indian Church shall provide episcopal supervision for Chaplains and episcopal ministrations for the congregations worshipping in Maintained Churches, and the Governor-General shall make such grants as he may think fit to the Church in consideration of such episcopal supervision and ministrations.

ALTERATION OF RULES.

27. If the Bishop of Calcutta refuses to concur in an alteration of these rules proposed by the Governor-General with the sanction of the Secretary of State in Council, as regards the episcopal supervision of Chaplains ministering to troops, the Governor-General may, if he thinks fit, require the matter to be referred to arbitration of the Archbishop of Canterbury, or, if he be unwilling to act, some person appointed by him, or if he fail to make such appointment, a person appointed by the Governor-General and the Bishop of Calcutta, and in the case of such reference the decision of the arbitrator shall be final.

BREACHES OF THE RULES.

28. (1) If it shall appear to a Provincial Government or Chief Commissioner that any officer of the Indian Church has committed a breach of these rules, it shall report the same to the Bishop, who shall take such steps as he thinks fit to ensure their observance, and if a Provincial Government or Chief Commissioner considers that a Bishop is permitting or himself taking action contrary to these rules, or has failed to ensure observance of the rules, the Provincial Government or Chief Commissioner may request the Governor-General to bring the matter to the notice of the Bishop of Calcutta, who shall thereupon take such steps as he thinks fit to ensure the observance of the rules.

(2) In like manner the Governor-General may of his own motion bring any alleged breaches of the rules to the notice of the Bishop of Calcutta, who shall thereupon take such steps as he thinks fit to ensure their observance.

(3) The Governor-General whether acting of his own motion or at the request of a Provincial Government or Chief Commissioner, shall give the Bishop of Calcutta an opportunity of taking action with regard to such alleged breaches, before he proceeds to act under the next following rule.

29. (i) If after bringing alleged breaches of these rules to the notice of the Bishop of Calcutta, the Governor-General shall be of opinion that such breaches continue to be committed, whether with the knowledge of the authorities of the Indian Church or through their default or neglect or otherwise, or (ii) if he shall be of opinion that the Indian Church is so administered that the general intention of these rules is frustrated, and if, in either case, the Bishop of Calcutta differs from the opinion of the Governor-General the matter or matters in question shall, with the sanction of the Secretary of State in Council, be referred to arbitration in the manner provided by Rule 27, and the decision of the arbitrator shall be final.

30. If the arbitrator shall find that a breach of these rules has been and is being committed or that the Indian Church is so administered that the general intention of these rules is frustrated, and that the default is such as to justify the Secretary of State in Council in taking action as specified in this rule, then the Secretary of State in Council may if he thinks fit call upon the Indian Church by its representative the Bishop of Calcutta to carry out any suggestions of the arbitrator for remedying such default and on the refusal or failure of the Indian Church to carry out such suggestions or without so calling on the Indian Church may declare that in all or any of the churches entered at the date of the declaration in Part I of the Second Schedule to the Act the ecclesiastical law of the Church of England to such extent as the Archbishop of Canterbury may direct shall be observed and followed, and in such case the Governor-General may, with the sanction of the Secretary of State in Council, and the concurrence of the Archbishop of Canterbury, amend or cancel rules made on any matter specified in paragraphs (vi), (vii), (viii), (ix) and (xii) of section 5 of the Act, and/or make new rules in substitution therefor, or in amplification or modification thereof, and the Secretary of State in Council may, at any time, after making the above-mentioned declaration, further declare that all or any of the said churches shall, at the expiration of twelve months from the date of his declaration, vest in the Crown or in such person or persons as he may appoint for an absolute estate in possession, and such of them as are duly consecrated shall be held in trust for the purpose of ministrations in accordance with the rites of the Church of England, and shall be freed from any claim by the Indian Church or officials or members thereof.

If the Secretary of State in Council shall make the first above-mentioned declaration without making the second declaration and the Archbishop of Canterbury shall declare his assent thereto, the Secretary of State in Council may require the Indian Church to provide episcopal ministrations for the churches specified in the said declaration and episcopal supervision of chaplains serving therein, and the Indian Church shall provide such episcopal ministrations and supervision so long as the Chaplains concerned hold licences from Bishops of the Indian Church, and the congregations of the said churches remain congregations of the Indian Church. If the Secretary of State in Council make the second abovementioned declaration no obligation shall rest on any Bishop of the Indian Church to give episcopal supervision or ministrations in churches to which the second declaration shall apply.

SPECIAL NOTICE BY THE GOVERNOR-GENERAL IN COUNCIL TO DETERMINE CERTAIN PROVISIONS.

31. The Governor-General, with the sanction of the Secretary of State in Council, may at any time give five years' notice to the Bishop of Calcutta that he intends to make either or both of the declarations mentioned in Rule 30, so far as concerns the churches included at the date of the declaration in Part I (A) of the Second Schedule to the Act, provided always that such churches shall vest in the manner and on the conditions prescribed in Rule 30 forthwith on the making of the said declaration, and not on the expiration of twelve months from the date thereof, and the declaration shall be modified accordingly.

INTERPRETATION OF THE EXPRESSIONS "CHURCH COMMITTEE AND GOVERNOR-GENERAL".

32. The expression "Church Committee" means, in the case of any Maintained Church served by a Chaplain, the Church Committee as constituted by the rules of Government before the date of severance or as constituted by rules made by the Governor-General with the concurrence of the Bishop of Calcutta after the date of severance, and in the case of any Maintained Church not served by a Chaplain, the Church Committee as constituted by rules made with the approval of the Governor-General by the General Council of the Indian Church or, failing such rules, by the Diocesan Council of the Diocese concerned.

33. In these rules the expression "Governor-General" shall—

(*a*) in relation to the period between the commencement of Part III of the Government of India Act, 1935, and the establishment of the Federation of India mean, as respects matters with respect to which the Governor-General is by and under the provisions of the said Act for the time being in force required to act in his discretion, the Governor-General and as respects other matters the Governor-General in Council, and

(*b*) in relation to any period after the establishment of the Federation mean the Governor-General acting in his discretion.

STANDING ORDERS.

I. SESSIONS OF THE COUNCIL.

1. Sessions of the Council shall be either ordinary or special.

2. Ordinary sessions shall be held at regular intervals of three years, but for the purposes of this Order any period which is not less than thirty-three months and not more than thirty-nine months, reckoning from the close of one session to the opening of the next session shall be deemed to be a period of three years.

Provided (*a*) that if at any time a special session be held, the next ordinary session may by resolution of the Council or of the Standing Committee be held at any time within a period of thirty-nine months from the close of that special session; and

(*b*) that by a resolution of the Council, or by a resolution of the Standing Committee passed by a two-thirds majority, an ordinary session may be postponed beyond its due date for a period of not more than fifteen months.

3. Special sessions may be summoned by the President of the Council at any time on his own motion, and shall be summoned by him at the request of a majority of the other Diocesan Bishops of the Province or a majority of the Standing Committees of the Diocesan Councils of the Province.

4. For the purpose of holding a session of the Council, the President shall by writing under his hand summon all the other Bishops of the Province, and also summon through the Diocesan Bishop the representatives of each Diocese.

II. NOTICE AND AGENDA OF SESSIONS.

1. The President shall give not less than twelve months' notice of the place and the approximate date of any ordinary session of the Council, and shall send therewith a provisional agenda paper.

2. Notices of motions sent in by any of the persons or bodies who under Chapter XXIX, Canon I of the Canons and Rules have the right to bring business before the Council shall be circulated to the Dioceses through the Diocesan Bishops as soon as they are received by the President.

3. A definitive agenda paper shall be drawn up by the President in accordance with the provisions of Canon I of Chapter XXIX, of the Canons and Rules, and shall be sent out not less than one month before the date of the opening of an ordinary session.

4. No new motion or resolution of which notice has not been given in time for it to be included in the definitive agenda paper shall be considered at the session of the Council except by permission of the President and of two-thirds of the members present.

5. The President shall give not less than three months' notice of the place and date of any special session of the Council, and of the special business to consider which the session is summoned. It shall be competent to the Standing Committee, by a vote of two-thirds of the members, to direct that in addition to that business some other specified business shall be considered, provided that not less than three months' notice be given of such other business. At the special session no other business (with the exception of business under Chapter XXXI, Canon II of the Canons and Rules) shall be admissible except by permission of the Council given by a *nemine contradicente* vote.

6. In all sessions of the Council, the President shall determine the order in which the business is to be taken.

7. When in this or in any other Standing Order the President or the Secretary of the Council is directed to give notices or to send agenda papers to members of the Council, such notices or papers may be sent to the Clerical and Lay Representatives of each Diocese through the Diocesan Bishop when the President has not received the lists of those Representatives or has reason to believe that the lists in his hands are in any way incorrect or not up to date.

8. The hours of meeting of the Council during any session shall be fixed by the President, and may be varied by him during the session if this be necessary in order to provide for the holding of separate meetings of any of the three Houses or of joint meetings of any two of the three Houses, or for any other reason which he may deem sufficient.

III. PROCEDURE AT OPENING OF AN ORDINARY SESSION.

1. After the prayers, the President—

(*a*) shall announce the names of any Diocesan Bishops whose election or appointment to their Sees has been confirmed since the last session of the Council, and also the names of any Coadjutor or Assistant Bishops who have received commissions from their Diocesan Bishops to sit in the House of Bishops for the session in the absence of the said Diocesan Bishops;

(*b*) shall announce the names of any Coadjutor or Assistant Bishops whose election or appointment has been confirmed since the last session of the Council and who are thereby entitled to take their seat in the House of Clergy;

(*c*) shall lay upon the table the certificates which he has received from the Diocesan Bishops in accordance with Chapter XXXIV, Rule 6 and Chapter XXVI, Rule 8 of the Canons and Rules, containing the names of the duly elected or appointed Clerical and Lay Representatives of each Diocese, and the declarations signed by those Representatives in accordance with Chapter III, Canon III (*a*) of the Canons and Rules.

2. No person shall be allowed to sit as Clerical or Lay Representative at that session of the Council unless his name be contained in one of the certificates referred to in paragraph I (*c*) of this Standing Order, and, if it be necessary under the above-mentioned Canon that a declaration be signed by him, unless such declaration be among those laid on the table by the President.

3. The Secretary of the Council shall then call the names of the members of the House of Bishops, of the Coadjutor or Assistant Bishops who are sitting as members of the House of Clergy, and of the Clerical and Lay Representatives of each Diocese, and those present shall answer to their names.

4. The President shall then declare the Council to be duly constituted.

5. The Council shall then elect three Minutes-Secretaries for the session, of whom the Bishops shall elect one from

the House of Bishops, and the Clerical Representatives one from their House, and the Lay Representatives one from their House. These Minutes-Secretaries shall take the Minutes of that session of the Council, and shall assist the Secretary of the Council in the preparation of the Books of Record.

6. The Council shall then elect a Bishop to be Vice-President of the Council, in accordance with Canon I, and Rule 1 of Chapter XXXI of the Canons and Rules.

7. A chairman for the House of Clergy shall then be elected by the Clerical Representatives from among their own number, and a chairman for the House of Laity shall be elected by the Lay Representatives from among their own number.

IV. PROCEDURE AT OPENING OF A SPECIAL SESSION.

1. After prayers, the President shall make the announcements detailed in Standing Order III, paragraph 1 (*a*) and (*b*), and shall lay upon the table the certificates received from the Diocesan Bishops in respect of any substituted Clerical or Lay Representatives appointed in accordance with Chapter XXXIV, Rule 5, and the declarations signed by those Representatives in accordance with Chapter III, Canon III (*a*) of the Canons and Rules.

2. The Secretary shall then call the roll as provided in Standing Order III, paragraph 3.

3. The President shall then declare the Council to be duly constituted.

4. The Council shall then elect Minutes-Secretaries and Chairmen of Houses in accordance with Standing Order III, paragraphs 5 and 7.

V. SEPARATE AND JOINT MEETINGS OF THE THREE HOUSES.

Separate meetings of each House.

1. Any of the three Houses shall hold a separate meeting when—

(*a*) that House has so decided; or

(*b*) the Council has so directed; or

(c) a meeting of that House has been summoned in accordance with the provisions of paragraph 2 of this Order, in the case of the House of Bishops, by the President of the Council, and in the case of either of the other two Houses, by the Secretary of the Council.

Such a meeting may only be held at a time immediately before, during, or immediately after a session of the Council.

2. (a) A separate meeting of the House of Bishops under paragraph 1 (c) of this Order shall be summoned either on the demand of not less than one-third of its members, or on the motion of the President of the Council.

(b) A separate meeting of the House of Clergy or of the House of Lay Representatives under paragraph 1 (c) of this Order shall be summoned either on demand of not less than one-fifth of its members, or at the direction of the President of the Council.

3. (a) If a separate meeting of any House is to be held immediately before any session of the Council, not less than one month's notice of the date and purpose of the meeting must be given, and any demand under paragraph 2 of this Order for the summoning of such meeting must be received in time to make the giving of such notice possible.

(b) If a separate meeting of any House is to be held during or immediately after any session of the Council, notice must be given not later than the previous day, except by general consent of the House concerned.

4. The hour of any separate meeting of any House which is to be held during a session of the Council shall be fixed by the Chairman of the House concerned, in consultation with the President of the Council.

5. The quorum of any House in a separate meeting shall be the number of its members required for a quorum of the Council.

Joint meeting of two Houses.

6. A joint meeting of any two Houses shall be held when—

(a) the two Houses concerned have so decided; or

(b) the Council has so directed. Such a meeting may only be held at a time immediately before, during, or immediately after a session of the Council.

7. Subject to any directions that may have been given by the Council; or to any agreement that may have been made between the two Houses concerned, the date and hour of a joint meeting of any two Houses shall be fixed by the Chairman elected to preside over that meeting in consultation with the President of the Council, or, when no such Chairman has been elected, by the President of the Council.

8. If any House holds a separate meeting, or any two Houses hold a joint meeting, it (or they) shall forthwith appoint a Chairman, a Secretary, and one or more minute-secretaries, unless any of these shall have already been appointed by the Council. But the President of the Council shall always, if present, be the Chairman of the House of Bishops and of any meeting of that House jointly with either of the other two Houses.

VI. GENERAL PROCEDURE FOR THE ENACTMENT OF A NEW CANON.

(*Under Canon I of Chapter XXX.*)

1. A new Canon may be proposed in the Council by any of the persons or bodies who have a right under Canon I of Chapter XXIX to bring business before the Council except the Episcopal Synod or a single House of a Diocesan Council.

2. The proposal for the enactment of a new Canon shall consist of two parts, to be discussed and voted upon separately. The first part, to be called the Preamble, shall be a Resolution setting forth the desirability of enacting such a Canon and defining the subject-matter of the proposed Canon. The second part shall consist of the proposed form of Canon itself, which will (if accepted) eventually find a place in the Canons and Rules. Provided that any member of the Council may at the opening of the consideration of a new Canon move that the Preamble of the Canon be dispensed with, and if this motion be duly seconded and carried by a two-thirds majority in the whole Council, the proposed form of Canon shall be proceeded with as if a Preamble thereto had been proposed and accepted.

3. The Preamble shall be discussed and voted upon under Standing Order XI (Procedure for the passing of a Resolution) and amendments may be moved to the proposed Preamble.

4. If the Preamble, after discussion and amendments (if any) be rejected, the proposed form of Canon shall not be proceeded with; and the whole proposal may not again be considered by the Council till the next ordinary session of the Council.

5. If the Preamble be accepted, with or without amendment, the Council shall proceed to discuss and vote upon the proposed form of Canon in accordance with the Standing Orders VII (Detailed Procedure for the enactment of a new Canon) and XII (Procedure for proposals involving a question of Faith or Order).

6. If the proposed form of Canon after discussion and amendment (if any) be rejected, it may not again be considered by the Council till the next session of the Council.

7. If the Preamble and the proposed form of Canon are both accepted, with or without amendment, the Metropolitan shall communicate them as soon as possible to each Diocesan Council through the Diocesan Bishop or his commissary, or in the vacancy of the See through the commissary or Vicar-General who is in charge of the See under the Metropolitan.

8. The Council shall not again consider the Preamble and the proposed form of Canon until an interval of at least twenty-one months has elapsed after the Metropolitan has communicated them to the Diocesan Councils.

9. If the first consideration of the proposed Canon took place at an ordinary session of the Council, the second consideration of it may be at a special session summoned under Standing Order I. 3. and in the agenda of which such second consideration is included, otherwise it shall be taken at the next ordinary session. But if the proposed Canon was first considered at a special session of the Council, the second consideration shall in all cases be taken at an ordinary session which occurs after the interval of time prescribed in paragraph 8 above has elapsed.

10. When the proposal to enact a new Canon comes up for the second time before the Council, the reports from Diocesan Councils, if any, shall be considered, and if these reports contain amendments, those amendments, if in order, shall be moved by the Representatives of the Dioceses which proposed them.

11. Subject to the provisions of the following paragraph, if on their second consideration the Preamble and the form of Canon, with or without amendment, be passed

by the Council, the Canon shall thereupon become a Canon of this Church, and shall be incorporated in the Canons and Rules and shall be promulgated in accordance with Canon II of Chapter XXX.

12. If in the second session of the Council in which they are considered either the Preamble or the form of Canon be amended, it shall be open to the majority of the Representatives of any one Diocese then present to object immediately after the Preamble or the Canon (as the case may be) as amended has been passed that the proposal to enact a Canon has been so greatly altered by the amendments as to have become, to all intents and purposes, a new proposal. On such objection being made, a vote of the Council shall be taken on the motion that the proposal to enact a Canon be deemed to be a new proposal and the vote by which the Preamble or the Canon (as the case may be) has been passed to be the first vote of the Council upon it. A two-thirds majority of the whole Council shall be required for the carrying of this motion, or, if a vote by Orders be demanded and taken, a two-thirds majority in each House of the Council. If the motion be not carried, the objection shall be referred to the Committee of Reference for their arbitration and their decision shall be final.

13. If the Preamble or the proposed form of Canon is under the last paragraph referred back to the Diocesan Councils, the same procedure shall be followed when it is brought up again in the General Council as is in this Standing Order laid down for the second consideration by the Council.

14. If any form of Canon which is communicated to the Diocesan Councils under paragraph 7 or paragraph 12 is accepted by all of them without amendment, the Metropolitan shall, after receiving the report of the last Council which considers it, cause it thereupon to be incorporated in the Canons and Rules and to be promulgated in accordance with Canon II of Chapter XXX. The fact that it has been thus accepted and incorporated shall be reported to the General Council at its next ensuing session and entered on the minutes of that session.

15. If it be proposed to enact a set of Canons or of Canons and Rules dealing with one subject, there shall only be one Preamble for the whole set of Canons (or Canons and Rules), and the provisions of this Standing Order shall be read as applying to the set of Canons (or Canons and Rules) taken as a whole.

VII. DETAILED PROCEDURE FOR THE ENACTMENT OF A NEW CANON.

(i) *Regular Stages.*

1. "Member in charge of a Canon" shall mean a member of the Council designated as such by the person or body by whom or by which the Canon is being proposed in the Council.

2. When the Preamble of a new Canon has been accepted by the Council, a member in charge of the Canon shall move (subject to the provisions of paragraph 8 below) "*That the form of Canon be considered by the Council*", and if that motion be carried, the Council shall proceed to consider the form of Canon and any amendments thereto.

3. A proposed form of Canon shall in general be considered sentence by sentence or by such other parts as the President may decide, and as each part is reached, the question shall first be proposed. "*That this part be considered*". If that question be negative, the part shall be struck out of the form of Canon; if it be passed, the Council shall proceed to consider any amendments to the part, and when they have been disposed of, the question shall be proposed and decided "*That the part as amended stand part of the Canon*".

4. All amendments to a proposed form of Canon must be such as fall within the scope of the Preamble, and shall be moved and disposed of in accordance with Standing Order XVI (Amendments to Proposals), and must be seconded.

In addition to amendments moved on behalf of Diocesan Councils, any member may, after notice, (as provided in Standing Order XVII), move any amendment to a proposed form of Canon; but no amendment may be moved without notice except by permission of the President and with the general consent of the Council.

5. Subject to the provisions of Standing Order XII (Procedure for proposals involving a question of Faith or Order), when all amendments to a proposed form of Canon have been disposed of, a member in charge of the Canon shall move "*That the form of Canon as amended be accepted*", and if that motion be carried, further action shall be taken in accordance with the provisions of Standing Order VI (General Procedure for the Enactment of a new Canon).

6. The above procedure shall apply, except as it may be modified by the remaining parts of this Standing Order to both the first and the subsequent considerations of a proposed form of Canon.

7. At the appropriate points in the procedure for the passing of a proposed form of Canon on either its first or any subsequent consideration, any or all of the following additional stages may be inserted—

a Committee stage,

a Reconsideration stage,

a Drafting stage.

(ii) *Committee Stage.*

8. When the Preamble of a new Canon has been accepted by the Council, a member in charge of the Canon may, instead of moving "That the form of Canon be considered by the Council", move "*That the form of Canon be committed to a committee*", and either of those motions may be moved by any member by way of amendment to the other. If the form of Canon be committed to a Committee, the Committee shall thereupon be appointed or elected in conformity with the provisions of Regulation III (Appointed and Elected Committees).

9. When a form of Canon has been committed to a Committee, the Committee shall consider it, and shall make such amendments in it as they may think fit, and shall report it with or without amendment to the Council.

10. When a form of Canon has been reported by a Committee, a motion may be made "*That the form of Canon be considered by the Council* (forthwith or at a future meeting)" or "*That the form of Canon be re-committed to a Committee*", and either of these motions may be moved as an amendment to the other; and the necessary questions shall be put and decided, and the form of Canon dealt with accordingly.

(iii) *Reconsideration Stage.*

11. At the end of the stage of consideration, the Council may submit the form of Canon for a stage of reconsideration or may commit it to a Committee, notwithstanding that it may already have been so committed at the beginning of the stage of consideration. Accordingly, when in the stage of consideration all amendments to a proposed form of Canon have been disposed of, and before the motion of paragraph 5 above has been moved, a motion may be made, with or

without notice "*That the form of Canon* (or a sentence or sentences thereof or certain amendments thereto) *be*

(*a*) *reconsidered*, or

(*b*) *committed* (or re-committed) *to a Committee;*

and either of these motions may be moved as an amendment to the other; and if either motion be carried, the form of Canon (or such part of it or amendments to it as the motion prescribes) shall forthwith be dealt with accordingly. And these motions for further consideration or for committal may in like manner be repeated at the conclusion of any successive stage of consideration as often as may be thought expedient. But if a Canon or part thereof, be thus committed (or re-committed) to a Committee, it shall, if it be reported with any amendment, afterwards pass through a stage of consideration in accordance with the provisions of paragraph 10 of this Order.

In the stage of reconsideration, no amendment shall be out of order merely on the ground that it is inconsistent with a decision made by the Council before the stage of reconsideration was reached.

(iv) *Drafting Stage.*

12. When the consideration of a form of Canon has finally been completed, and before the motion of paragraph 5 above has been moved, a motion may be made "*That the form of Canon be committed to a Drafting Committee*". If that motion be carried and the form of Canon accordingly committed, the Drafting Committee may make any amendments they think fit in the wording of the Canon but not so as to alter its substantial purport, and shall report the form of Canon as amended in respect of its drafting; provided that if the Drafting Committee have any doubt as to the meaning of any words contained in the form of Canon, they shall amend the doubtful words so that they may convey a clear meaning, and shall report such amendment separately to the Council as a Special Amendment.

When the Drafting Committee report the form of Canon as amended to the council, any member may move that any amendment made by the Drafting Committee be re-committed to the same Committee or to another Drafting Committee for further consideration; but no other motion may be made, and the amendment itself shall not be put to the Council.

If any amendment be so re-committed, the procedure prescribed by this Order shall be followed upon the report of the Committee to which the amendment has been re-committed.

Any amendment reported by the Drafting Committee as a Special Amendment shall be put to the Council separately as though it had been an amendment moved in the ordinary way upon the stage of consideration.

13. When the report of the Drafting Committee has been disposed of, no further stage may be taken except that of final acceptance or rejection, which shall be taken forthwith in accordance with the provisions of paragraph 5 of this Order.

VIII. DETAILED PROCEDURE FOR THE ENACTMENT OF A SET OF CANONS.

1. The provisions of Standing Order VII shall apply, *mutatis mutandis*, to the detailed procedure for the enactment of a set of Canons or of Canons and Rules dealing with one subject, and in particular,

(*a*) The Canons of a proposed set of Canons (or of Canons and Rules) shall in all cases be considered Canon by Canon, and the questions stated in Standing Order VII, paragraphs 3 and 5, shall be put in respect of each Canon, but the consideration of each Canon shall also be carried out in accordance with the provisions of paragraph 3 of that Order. The Rules of such a set shall be considered as a whole, unless the President directs, or a motion be made and carried, that one or more of the Rules be considered separately. Such a motion shall be regarded as one relating to procedure, and shall not require notice.

(*b*) The additional stages described in paragraphs 7 to 13 of that Order shall be applied only to the set of Canons (or of Canons and Rules) taken as a whole, except that one or more of the Canons or Rules or some part or parts thereof may under paragraph 11 of that Order be reconsidered or committed to a committee.

IX. PROCEDURE FOR THE ALTERATION OR REPEAL OF A CANON.

(Under Chapter XLIV, Canons I and II.)

1. The provisions of Standing Orders VI and VII shall apply to the general and detailed procedure for the alteration of a Canon, the words "alteration of a Canon", being substituted throughout for the words "Canon", "new Canon" or "form of Canon"

2. The provisions of Standing Order VI paragraphs 1 to 11, 14 and 15 shall apply to the general procedure for the repeal of a Canon, the words "repeal of a Canon" being substituted throughout for the words "Canon", "new Canon" or "form of Canon".

3. An amendment may be moved to the Preamble of the proposal for the repeal of a Canon by way of substituting for the proposal for repeal a proposal to alter the existing Canon in a stated manner. If such amendment to the Preamble be carried, the whole proposal shall from that point be dealt with as a proposal for the alteration of a Canon.

If such amendment be moved and carried in the second session of the Council at which the Preamble is considered, the proposal shall thereupon be deemed to be a new proposal, and the vote by which the Preamble as amended is passed to be the first vote of the Council upon it.

4. The detailed procedure for the repeal of a Canon shall be as follows:—

When the Preamble of the proposal to repeal a Canon has been accepted by the Council, a member in charge of the proposal shall move "*That the Canon be repealed*" and the Council shall discuss and vote upon this motion. No amendment may be moved to this motion, and none of the additional stages described in Standing Order VII may be inserted in the discussion.

X. PROCEDURE FOR THE ENACTMENT OF A NEW RULE AND FOR THE ALTERATION OR REPEAL OF A RULE.

(Under Chapter XXX, Canon III and Chapter XLIV, Canon III.)

1. A new Rule may be proposed in the Council by any of the persons or bodies who have a right under Canon I of Chapter XXIX to bring business before the Council except the Episcopal Synod or a single House of a Diocesan Council.

2. A new Rule shall be introduced into the Council by a motion "*That the Rule be considered by the Council*", and if that motion be carried, the Council shall proceed to consider the proposed Rule and any amendments thereto.

3. A proposed new Rule shall be considered as a whole or in such parts as the President may think fit.

4. All amendments to a proposed new Rule shall be moved and disposed of in accordance with Standing Order XVI (Amendments to proposals), and must be seconded.

In addition to amendments moved on behalf of Diocesan Councils, any member may after notice (as provided in Standing Order XVII) move any amendment to a proposed new Rule; but no amendment may be moved without notice except by permission of the President and with the general consent of the Council.

5. Subject to the Provisions of Standing Order XII (Procedure for proposals involving a question of Faith or Order), when all amendments to a proposed new Rule have been disposed of, a member in charge of the proposal shall move "*That the Rule be accepted*", and if that motion be carried, the Rule shall forthwith become a Rule of the Church and shall be incorporated in the Canons and Rules.

6. At the appropriate points in the procedure for the enactment of a new Rule, any or all of the additional stages described in Standing Order VII, paragraphs 7 to 13 may be inserted, and the provisions of those paragraphs shall apply, *mutatis mutandis*.

7. The provisions of the above paragraphs shall apply, *mutatis mutandis*, to the procedure for the alteration of a Rule.

8. The provisions of paragraph 1 shall apply to a proposal for the repeal of a Rule. Such a proposal shall be introduced into the Council by a motion "*That the Rule be repealed*", and the Council shall discuss and vote upon this motion.

An amendment may be moved to this motion by way of substituting for the proposal to repeal a proposal to alter the existing Rule in a stated manner. If such amendment be carried, the proposal shall from that point be dealt with as a proposal for the alteration of a Rule.

If no such amendment be moved, or if moved it be not carried, none of the additional stages described in Standing Order VII, paragraphs 7 to 13 may be inserted in the discussion.

XI. PROCEDURE FOR THE PASSING OF A RESOLUTION.

1. A Resolution may be proposed in the Council by any of the persons or bodies who have a right under Canon I of Chapter XXIX to bring business before the Council.

2. A Resolution shall ordinarily be moved, seconded, discussed and passed without special procedure; but the President may, if he thinks fit, direct that the procedure of

Standing Order X, paragraphs 1 to 6 (and consequentially those of Standing Order VII, paragraphs 7 to 13) shall be applied.

3. If any member of the Council raise the point whether a proposed Resolution before the Council is not in effect a piece of legislation and should not therefore be regarded as a proposal for the enactment or alteration of a Declaration, Canon or Rule, the President may give a ruling on this point, or may direct that it be referred to the Committee of Reference for decision. If the President gives a ruling on the point, it shall be competent to any member of the Council to challenge that ruling and to move that the point be referred to the Committee of Reference, and if this motion (which is one relating to procedure) be carried, the point shall be so referred to the Committee for decision, and the Resolution shall thereupon be dealt with accordingly.

XII. PROCEDURE FOR PROPOSALS INVOLVING A QUESTION OF FAITH OR ORDER.

(Under Canons IV to VI of Chapter XXVIII.)

(i) *General.*

1. In this Standing Order, the term "proposal involving a question of Faith or Order" shall mean the enactment, alteration or repeal of a Declaration, Canon, Rule, Regulation or Standing Order,

or the passing of the Preamble to the enactment, alteration or repeal of a Declaration or Canon,

or the passing of a Resolution,

which either (*a*) embodies or is founded upon the whole or any part of a Determination or Statement of the Episcopal Synod on a question of Faith or Order.

or (*b*) deals with or includes a matter involving a question of Faith or Order.

2. If any member of the Council raise the point whether any matter before the Council is or is not a question of Faith or Order, or, is or is not a matter involving a question of Faith or Order, the President may give a ruling on this point, or may direct that it be referred to the Committee of Reference for decision. If the President gives a ruling on the point, it shall be competent to any member of the Council to challenge that ruling and to demand that the point be referred to the Committee of Reference, and if this demand be supported by ten other members of the Council

rising in their places, the point shall be so referred to the Committee for decision.

3. After a proposal involving a question of Faith or Order has been discussed and, if so desired, amended in full Council, it shall, before it be finally accepted by the Council, be referred to the House of Bishops, who, sitting separately, shall consider it and if they think fit, revise its terms. The President shall report to the Council the terms in which the House of Bishops has decided to submit the proposal to the Council, and no further amendment shall be allowed, but the Council may discuss, may request the House of Bishops to reconsider, and shall vote upon the proposal as it finally receives it from the House of Bishops. Provided that this section shall only apply to a proposal under section 1 (*b*) above if a demand to that effect be made either by the President, or by any two Bishops, or by the majority of members of any House of the Council.

4. In the case of the enactment, alteration or repeal of a Declaration or Canon or the passing of the Preamble to such enactment, alteration or repeal, the reference to the House of Bishops (which is necessary or may be demanded) shall take place both at the first and at the second or any subsequent consideration of the proposal by the Council.

5. In all cases, the reference to the House of Bishops shall take place after all the stages described in Standing Order VII have been passed through, but before the final acceptance of the proposal as described in Standing Order VII, 5 (with regard to the enactment or alteration of a Canon) and X, 5 (with regard to the enactment or alteration of a Rule or the passing of a Resolution), or, in the case of a proposal for repeal, before the taking of the vote to repeal.

(ii) *Reference to the Lambeth Committee.*

6. The motion under Chapter XXVIII, Canon VI of the Canons and Rules for referring a proposal dealing with Faith or Order to the Central Consultative Body may be made at any time between its first introduction in the Council and the taking of the final vote upon it, provided that the Chairman shall allow the mover and seconder of the original proposal to speak before the motion for reference is introduced, any may order that the first discussion of the original proposal shall be closed before the motion for reference is debated and voted upon. Previous notice of this motion for reference shall not be required.

7. When a motion for a reference to the Central Consultative Body has received the support required by Chapter

XXVIII, Canon VI of the Canons and Rules, the Metropolitan shall at once communicate the proposed Canon or Rule in regard to which the motion was made, together with the relevant Determinations or Statements and the motion for reference to the Central Consultative Body, to the Archbishop of Canterbury, asking him to bring these documents before that body for its opinion and advice, and when the Metropolitan has received the reply of that Body, he shall as soon as possible communicate it to all members of the Council.

XIII. PROCEDURE ON REPORTS OF COMMITTEES.

1. In this and in the following Standing Orders the term "Committee" shall include a Commission or Board.

2. Every report made by a Committee shall be presented to the Council by being communicated to the Secretary, who shall, if the President so direct, circulate it to the members of the Council.

3. When a Committee (not being a Committee to which a form of Canon or other legislative proposal has been committed under Standing Order VII) makes a report to the Council, the President may either himself move or allow any member to move "*That this Report be received*". This motion may be opposed either by advising a negative vote, or by moving an amendment to refer the Report back to the Committee, or to refer it to some other Committee; but no other amendment shall be permissible. A Resolution that a Report be received shall not be deemed to commit the Council to the acceptance of the principles of the Report as received.

4. When a report has been received, a motion may be made for carrying out any recommendation in the Report, or for adopting the Report as a whole or in part, or otherwise relevant to the subject-matter of the Report.

XIV. GENERAL RULES OF DEBATE.

1. The conduct of debate shall be under the control of the President for the time being, and shall be directed by him in accordance with the Standing Orders, or, in absence of any Standing Order applicable to any point which may arise, according to the ordinary rules of debate and the judgement of the President.

2. Every member who speaks shall address the Chair.

3. No member moving a motion or amendment shall speak for more than 20 minutes, and no member speaking

otherwise shall speak for more than 10 minutes, except with the consent of the President.

4. With the following exceptions, no member may speak more than once upon the same motion or amendment:—

(*a*) A member in charge of a Canon, Rule or Resolution may, by permission of the President, speak more than once on the same motion or amendment.

(*b*) The mover of any motion (but not of an amendment) shall have the right to reply at the close of the discussion.

(*c*) The seconding of a motion or amendment without speaking to it shall not be reckoned a speech on that motion or amendment.

(*d*) Any member may, by the permission of the President make a brief personal explanation, but only to correct a direct misunderstanding of what he has said or to explain some matter of strictly personal concern; and such an explanation shall not be reckoned a speech on the question before the Council.

(*e*) Any member may, notwithstanding this Order, speak more than once upon the same question by the permission of the President and with the consent of the Council.

5. Every motion shall be seconded except—

(*a*) a motion moved by the President;

(*b*) a motion for receiving the Report of a Committee; and

(*c*) a motion moved by a member representing a Committee.

6. Every amendment shall be seconded.

7. No motion or amendment which falls for want of a seconder shall be recorded in the minutes.

8. Any motion or amendment may be withdrawn by the mover of it with the leave of the Council.

9. Any member may submit a question of order or procedure to the President, and may, if necessary, interrupt a speaker for the purpose.

10. The order of the business of the Council may be varied by a motion, and such motion may, with the consent of the President, be moved without notice.

XV. POWERS OF THE PRESIDENT.

1. The President shall decide the order in which members of the Council shall speak, and may, if he think fit, require members who desire to speak to give their names to him in writing. He may at his discretion make suggestions to the Council or to individual members for abbreviating discussion or otherwise for the better transaction of the business of the Council. But these suggestions shall not be authoritative, and it shall be the duty of the President to call every member who desires to speak before the discussion is concluded, subject only to the provisions of Standing Order XVIII (Previous Question and Closure of Debate).

2. The President may, if he think it expedient for the efficient transaction of the business of the Council, at any time require members for the remainder of the discussion to limit their speeches to a certain number of minutes.

3. The President may vary the order of the business of the Council with the general consent of the Council.

4. The President shall call a member to order for irrelevance, repetition, misuse of the privilege of making a personal explanation, unbecoming language, or any breach of order, and may require such member, if speaking, to discontinue his speech.

5. The President may move motions or amendments and take part in debate like any other members.

6. In all votes of the full Council the President may vote with the other members of the Council, and whether he do so or not, shall in case of equality of votes have a casting vote. In a vote by Orders he may vote with the other members of the House of Bishops and shall have no second vote.

7. The President may, if he think fit, before coming to any decision which by the Canons and Rules or the Standing Orders he is authorised to make, consult the Council, and for that purpose may call for a show of hands. If he so consult the Council, he may terminate any discussion on the matter at his discretion.

8. When the President has made any decision or ruling on a point of order or procedure, it is not competent to any member of the Council to question that decision or ruling or to attempt to discuss it, except in the cases in which power to challenge a ruling of the President is specifically given in these Standing Orders.

XVI. AMENDMENTS TO MOTIONS AND PROPOSALS.

1. In these Standing Orders the term "Proposal" shall mean—

(i) a proposed new Declaration, Canon, Rule, Regulation or Standing Order;

(ii) a proposed alteration of an existing Declaration, Canon, Rule, Regulation or Standing Order;

(iii) a proposal to repeal an existing Declaration, Canon, Rule, Regulation or Standing Order;

(iv) a proposed resolution; and

(v) any other motion not being an amendment.

The term "amendment" shall mean an amendment to a Proposal, and shall not be understood to mean an alteration of an existing Declaration, Canon, Rule, Regulation or Standing Order, the making of such alterations being governed by Standing Orders IX and X.

2. An amendment must be handed to the President in writing before it is put from the Chair.

3. An amendment must be relevant to the proposal to which it is proposed, and must not be inconsistent with any decision of the Council upon that proposal made at an earlier stage of the discussion, save as provided in Standing Order VII, paragraph 11 in the case of the additional stage of Reconsideration.

4. An amendment must not be such as to make the proposal to which it relates unintelligible or ungrammatical; if an amendment refers to or is not intelligible without a consequential amendment, notice of the consequential amendment shall be given before the first amendment is moved, so as to make the series of amendments intelligible as a whole.

5. Amendments shall be considered by the Council in order corresponding to the order in the proposal of the first words affected by each amendment, amendments to substitute other words for the whole of the proposal being taken first of all; and amendments affecting the same words shall be taken in the order that the President may determine.

6. After a decision has been given on an amendment to any part of a proposal, an earlier part cannot be amended without leave of the Council.

7. No amendment may be moved to an amendment, but the mover of an amendment may during its discussion alter his amendment by permission of the President and the leave of the Council. Also, either before or during the discussion of an amendment, any member may give notice (and add thereto a brief explanation) that he intends to propose either a different amendment to the original proposal or an amendment to the proposal as it would stand if the amendment under consideration were accepted.

8. Whenever an amendment has been moved, no subsequent amendment shall be moved until the first amendment shall have been disposed of.

9. All amendments shall be moved and put in the following forms:—

either (i) "That such and such words in the proposal be omitted";

or (ii) "That for such and such words in the proposal the following words be substituted";

or (iii) "That at such and such a point in the proposal the following words be added".

10. If notice has been given of more amendments than one relating to the same words, the President shall so far as possible give the Council the opportunity of deciding distinctly upon every issue raised by the amendments, and may with that object in proposing the questions on the amendments, divide each amendment in such a manner as may enable the Council to express its judgement upon every issue raised by any of the amendments so far as may be possible consistently with arriving at a clear and orderly conclusion.

11. When the amendment (or the amendments) proposed to a particular sentence or sentences of a proposal has (or have all) been lost in a vote by Orders, then the President shall immediately after the disposal of that amendment (or those amendments) put the question "*That the sentence or sentences affected by the amendment* (*or amendments*) *stand part of the proposal*"; and if this question be decided in the negative, whether in a vote of the full Council or in one by Orders, the sentence or sentences shall be omitted from the proposal or motion; subject always to the provisions of Standing Order VII, paragraph 11 with regard to a stage of Reconsideration.

Explanation.—The end to be attained is the agreement of all the three Houses; but if while two Houses (say) desire a certain amendment, the third House desires the proposal to stand in its original form, it can on a vote by Orders on the amendment maintain that form against the other two Houses. This Order then gives those Houses the opportunity in their turn to reject the whole sentence or sentences affected, and thereby to force a reconsideration in the course of which the Council may be able to discover a wording acceptable to all the Houses.

Similarly, if all the Houses desire that a proposed wording be in some way amended, but cannot agree on any of the amendments proposed, they can by means of this Order omit for the time being the whole sentence or sentences affected, and then negotiate a wording acceptable to all, which can be introduced in a stage of Reconsideration.

XVII. NOTICE.

1. Notice as prescribed in this Order shall be required for every motion not included in the agenda for a session of the Council except—

(*a*) Any motion moved without notice by permission of the President, and with the general consent of the Council.

(*b*) Any motion permitted by these Standing Orders to be moved without notice.

(*c*) The Previous Question, or a motion for Closure of the Debate.

(*d*) A motion for adjournment.

(*e*) Motions relating to the committal, re-committal or reconsideration of a proposal under Standing Order VII.

(*f*) Certain motions by the permission of the President, namely:—

To receive the Report of a Committee;

To carry out a recommendation of a Committee (other than one for legislative action);

To suspend a Standing Order;

To vary the order of the business of the Council.

2. Notice as prescribed in this Order shall be required for any amendment to a proposed new Declaration, Canon or Rule, or to a proposed alteration of an existing Declaration, Canon, or Rule, or to a proposal to repeal an existing Declara-

tion, Canon or Rule, except by the permission of the President and with the general consent of the Council.

3. Other amendments than those described in paragraph 2 may be moved without notice.

4. Every notice must be in writing, and must be given to the Secretary.

5. When the Council is in session, notice may be given of any business not later than the close of the afternoon meeting on the day before that on which the business is to be considered.

6. Between the date of the publication of the definitive agenda paper of an ordinary session and the opening of the session, notice of any motion or amendment relating to business appearing on the agenda paper must be given so that the Secretary may receive it not less than seven days before the opening of the session.

XVIII. PREVIOUS QUESTION AND CLOSURE OF DEBATE.

1. When debate on a motion has been concluded, and the President is about to put the question to the vote, any member who considers that it is not desirable for the Council, to vote on that question may move the Previous Question in the form "*That the question be not now put*" or "*That the Council now pass on to the next business*" without making any speech on the point. If seconded, this shall be put from the Chair without discussion. But if the President think fit, he may ask the mover of the Previous Question to give reasons for his motion, and then allow one opponent of the Previous Question to speak, and the mover of it to reply, before putting it to the vote. If the vote of the Council be in the affirmative, the question which was about to be put to the vote shall be dropped, and no vote taken thereon during that session of the Council.

2. The Previous Question may not be moved upon an amendment.

3. A member may at any stage of a debate give notice of his intention to move the Previous Question.

4. Any member may at the close of any speech made upon a motion or amendment after it has been moved and (if necessary) seconded, move "*That the debate now be closed*". If this be seconded, and if the President think that such closure is required for the better transaction of the

Council's business and is not unfair, he shall forthwith put the motion for closure without discussion.

If it be carried, the President shall call upon the member (if any) who has a right of reply on the question under discussion, and shall then, whether after that reply or immediately as the case may be, put the question under discussion to the vote; provided that at that point, the Previous Question may be moved under the provisions of paragraphs 1 to 3 of this Order.

XIX. VOTING.

1. When any question is to be voted on by the Council as a whole, the President may either order a division, or call for a show of hands.

2. If he calls for a show of hands, he shall himself estimate the numbers for and against, and declare the result accordingly.

He shall then give a reasonable opportunity of calling for a division, and if not fewer than ten members of the Council demand a division, there shall be a division; but if no such demand be made, the President shall declare the motion or amendment carried or lost by the Council.

3. If a division be ordered by the President or demanded by any member of the Council, the President shall appoint tellers, and shall declare the motion carried or lost in accordance with the report of the tellers.

4. The demand for a vote by Orders may be made *either* when a show of hands or a division is about to be taken *or* immediately after the result of either has been declared, and the President shall in either case give a reasonable opportunity for a demand for a vote by Orders.

5. When a vote by Orders is to be taken, the President shall appoint one member of the House of Bishops, two members of the House of Clergy and two members of the House of Laity as tellers for the several Houses.

The House of Laity shall vote first and the House of Clergy second and the House of Bishops last. As soon as any House has voted, the tellers shall report the results of the voting to the President, who shall immediately announce them to the Council. After the results of the voting in all the Houses have been announced to the Council, then if the motion has been lost in any House, the President shall declare that the motion has been rejected by the Council, or if the motion has been carried by each of the three Houses, the President shall declare that the motion has been carried by the Council.

6. If in any House the number of votes for and against be equal, the motion shall be deemed to have been lost in that House. In a vote by Orders, the President shall not have a second or casting vote in the House of Bishops.

REGULATIONS.

I. OFFICERS OF THE COUNCIL.

1. If any officer of the Council shall before the expiry of his term of office die, resign or be absent from India for more than three months, the President of the Council, subject to confirmation by the Standing Committee, shall appoint another person to serve in his place either for the remainder of the term of his office or during his absence from India.

2. The Secretary of the Council shall—

(*a*) preserve the minutes of the proceedings of each session of the Council, and the Books of Record as ordered by Chapter XXIX, Rule 8 of the Canons and Rules;

(*b*) maintain an official copy of the Constitution, Canons and Rules, and add to or correct it from time to time in accordance with the decisions of the Council, and cause every fresh edition or reprint to be corrected according to the official copy thereof; and

(*c*) conduct under the direction of the Metropolitan all correspondence relative to the holding of sessions of the Council or to business arising out of the decisions of the Council or to the holding of meetings of the Standing Committee or to business transacted thereat.

II. THE STANDING COMMITTEE.

1. The Standing Committee shall consist of the following:—

(*a*) Ex officio members—the President, the Secretary, and the Treasurer of the Council.

(*b*) Elected members—six members elected by each House of the Council.

(*c*) Additional members—not more than six members co-opted by the Standing Committee.

2. The elected members of the Standing Committee shall be elected at each ordinary session of the Council by each House of the Council from among its own members, the election being conducted in accordance with the provisions of Regulation III *mutatis mutandis*. Each House shall at the same time elect six more of its members, placing their names in order, to fill possible vacancies.

3. The additional members of the Standing Committee must be members of the Council, and at any time not less than half of the additional members must be members of the House of Laity.

4. Subject to the provisions of paragraphs 5 and 6 below, all elected and additional members of the Standing Committee shall hold office till the next election of members of the Standing Committee.

5. If any elected member of the Standing Committee shall die, resign, cease to be a member of the Council, or leave India for a period of more than ten months, the next person available among the members elected for the purpose by that House of the Council to which the out-going member belonged shall take his place as a member of the Standing Committee for the remainder of his term of office.

6. If any additional member of the Standing Committee shall die, resign, cease to be a member of the Council, or leave India for a period of more than ten months, the Standing Committee shall be free either to fill or not to fill the place thus voided, unless by the voidance the number of lay additional members shall have become less than the number of Clerical additional members, in which event the Standing Committee shall as soon as possible co-opt another lay additional member. Such co-option may be made by postal vote.

7. The Standing Committee shall transact any business committed to it by Canon, Rule, Regulation or Standing Order, or by Resolution of the Council. The Metropolitan may also lay before the Standing Committee any business in which he may desire its advice.

8. The President of the Council shall be Chairman of the Standing Committee and shall fix the time of its meetings, and the Secretary of the Council shall be Secretary of the Standing Committee.

9. The presence of the President and the Secretary of the Council and of seven other members of the Standing

Committee or (with the permission of the President) of eleven members of the Standing Committee shall be necessary to form a quorum of that Committee.

III. APPOINTED AND ELECTED COMMITTEES, COMMISSIONS AND BOARDS.

1. All Committees, Commissions and Boards of the Council (other than the Standing Committee) shall be chosen either by appointment or election.

2. Appointed Committees, Commissions and Boards shall be appointed by the Standing Committee, or by some other body or person named by the Council, subject to such directions as the Council may give.

3. When the Council shall decide to set up an elected Committee, Commission or Board, the Council shall fix the number of its members and may also direct that it shall be elected by the three Houses acting distinctly; and if it so direct shall further fix the number of members to be elected by each House. In the absence of any such direction, the Committee, Commission or Board shall be elected by the Council without discrimination in respect to Houses. The Council shall also appoint a Convener for every elected Committee, Commission or Board.

4. (*a*) When a Committee, Commission or Board is to be elected by the Council the President may, if he think fit, either direct that the Standing Committee shall nominate or himself nominate a list of candidates not less in number than the number to be elected by the Council. This list shall be circulated to the members or exhibited in some convenient place.

(*b*) The President shall direct whether the election is to be by ballot or *viva voce* in the Council meeting.

(*c*) If the election is to be by ballot, the President shall appoint a period for nominations (or for further nominations, as the case may be) by members of the Council; every such nomination or further nomination shall require a proposer and a seconder and must be communicated to the Secretary in writing. The ballot shall then be taken at a time and in a manner to be prescribed by the President.

(*d*) If the election is to be *viva voce* in a meeting of the Council, the President shall at that meeting call for nominations (or for further nominations, as the case may be), each of which shall require a proposer and a seconder. The list of nominations shall then be voted on by the Council in such manner as the President may prescribe.

5. When a Committee, Commission or Board, or certain members thereof is or are to be elected by a single House of the Council, the provisions of paragraph 4 of this Regulation shall apply *mutatis mutandis*, the Chairman of the House acting as is therein prescribed to the President of the Council.

IV. VACANCIES IN COMMITTEES, COMMISSIONS AND BOARDS.

1. A vacancy in an appointed Committee, Commission or Board shall be filled by the Standing Committee.

2. A vacancy in the Standing Committee shall be filled as directed in Regulation II. 5 and 6.

3. A vacancy in an elected Committee, Commission or Board shall be filled by co-option by that Committee. Such co-option may be made by postal vote.

4. In filling vacancies in a Committee, Commission or Board in respect of which the Council has fixed the number of members to be chosen from each House, the member chosen to fill the vacancy shall be chosen from the House to which the out-going member belonged.

5. Every Committee, Commission or Board may transact business notwithstanding vacancies, provided that a quorum of the full body is present.

V. PROCEDURE OF COMMITTEES, COMMISSIONS AND BOARDS.

1. All Committees, Commissions and Boards shall have power to co-opt any member of the Council to be an additional member unless the Council in respect to any particular Committeé, Commission or Board, shall otherwise direct; provided that the co-opted members shall not exceed in number one-fifth of the whole body as originally constituted save as provided for the Standing Committee in Regulation II. 1. In the case of a Commission or Board all the members of which need not be members of the Council, persons who are not members of the Council may be co-opted, provided that they are communicant members of the Church of this Province or of some Church in communion therewith.

2. When any Committee, Commission or Board has been elected or appointed, it shall at its first meeting elect a Chairman.

3. The Chairman shall determine all questions of order and procedure. He may vote with the other members of the Committee, Commission or Board, and whether he do so or not shall in the case of equality of votes have a casting vote. He may move motions or amendments and take part in debate like any other member.

4. All decisions of a Committee, Commission or Board shall be made by majority without discrimination in respect of Houses. Voting shall be by show of hands.

5. Unless the Council shall in respect to a particular Committee, Commission or Board otherwise direct, the quorum shall be not less than one-fifth of the original number of its members, and no business shall be transacted in the absence of a quorum.

VI. RECORD OF THE COUNCIL.

1. The minutes of the proceedings of each session, as recorded and passed during the session, shall be preserved by the Secretary of the Council.

2. The second Book of Record directed to be kept by Chapter XXIX, Rule 9, shall include the following records of each session of the Council:—

   (i) A list of Officers, Committees, Commissions, Boards, Panels of Assessors, and all other persons appointed by the Council during the session, together with the ex-officio officers, and ex-officio members of the Committees, or other Bodies appointed by the Council.

   (ii) Any final decision made by the Council at that session with regard to Declarations, or to Canons or to Rules.

   (iii) Other decisions made or resolutions passed by the Council.

3. After each session, the record of that session as prescribed in paragraph 2 shall be published by the Secretary.

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